

***In the Senate of the United States,***

*September 22, 2005.*

*Resolved*, That the bill from the House of Representatives (H.R. 2744) entitled “An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 *That the following sums are appropriated, out of any*  
2 *money in the Treasury not otherwise appropriated, for Ag-*  
3 *riculture, Rural Development, Food and Drug Administra-*  
4 *tion, and Related Agencies programs for the fiscal year end-*  
5 *ing September 30, 2006, and for other purposes, namely:*

1 *TITLE I*2 *AGRICULTURAL PROGRAMS*3 *PRODUCTION, PROCESSING AND MARKETING*4 *OFFICE OF THE SECRETARY*

5 *For necessary expenses of the Office of the Secretary*  
6 *of Agriculture, \$5,127,000: Provided, That not to exceed*  
7 *\$11,000 of this amount shall be available for official recep-*  
8 *tion and representation expenses, not otherwise provided*  
9 *for, as determined by the Secretary.*

10 *EXECUTIVE OPERATIONS*11 *CHIEF ECONOMIST*

12 *For necessary expenses of the Chief Economist, includ-*  
13 *ing economic analysis, risk assessment, cost-benefit anal-*  
14 *ysis, energy and new uses, and the functions of the World*  
15 *Agricultural Outlook Board, as authorized by the Agricul-*  
16 *tural Marketing Act of 1946 (7 U.S.C. 1622g), \$10,539,000.*

17 *NATIONAL APPEALS DIVISION*

18 *For necessary expenses of the National Appeals Divi-*  
19 *sion, \$14,524,000.*

20 *OFFICE OF BUDGET AND PROGRAM ANALYSIS*

21 *For necessary expenses of the Office of Budget and Pro-*  
22 *gram Analysis, \$8,298,000.*

23 *HOMELAND SECURITY STAFF*

24 *For necessary expenses of the Homeland Security*  
25 *Staff, \$1,166,000.*

1            *OFFICE OF THE CHIEF INFORMATION OFFICER*

2            *For necessary expenses of the Office of the Chief Infor-*  
 3 *mation Officer, \$16,726,000.*

4            *COMMON COMPUTING ENVIRONMENT*

5            *For necessary expenses to acquire a Common Com-*  
 6 *puting Environment for the Natural Resources Conserva-*  
 7 *tion Service, the Farm and Foreign Agricultural Service,*  
 8 *and Rural Development mission areas for information tech-*  
 9 *nology, systems, and services, \$118,072,000, to remain*  
 10 *available until expended, for the capital asset acquisition*  
 11 *of shared information technology systems, including services*  
 12 *as authorized by 7 U.S.C. 6915–16 and 40 U.S.C. 1421–*  
 13 *28: Provided, That obligation of these funds shall be con-*  
 14 *sistent with the Department of Agriculture Service Center*  
 15 *Modernization Plan of the county-based agencies, and shall*  
 16 *be with the concurrence of the Department’s Chief Informa-*  
 17 *tion Officer.*

18            *OFFICE OF THE CHIEF FINANCIAL OFFICER*

19            *For necessary expenses of the Office of the Chief Finan-*  
 20 *cial Officer, \$5,874,000: Provided, That the Chief Financial*  
 21 *Officer shall actively market and expand cross-servicing ac-*  
 22 *tivities of the National Finance Center: Provided further,*  
 23 *That no funds made available by this appropriation may*  
 24 *be obligated for FAIR Act or Circular A–76 activities until*  
 25 *the Secretary has submitted to the Committees on Appro-*

1 *priations of both Houses of Congress and the Committee on*  
 2 *Government Reform of the House of Representatives a re-*  
 3 *port on the Department's contracting out policies, including*  
 4 *agency budgets for contracting out.*

5 *OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL*  
 6 *RIGHTS*

7 *For necessary salaries and expenses of the Office of the*  
 8 *Assistant Secretary for Civil Rights, \$821,000.*

9 *OFFICE OF CIVIL RIGHTS*  
 10 *(INCLUDING TRANSFERS OF FUNDS)*

11 *For necessary expenses of the Office of Civil Rights,*  
 12 *\$20,109,000.*

13 *OFFICE OF THE ASSISTANT SECRETARY FOR*  
 14 *ADMINISTRATION*

15 *For necessary salaries and expenses of the Office of the*  
 16 *Assistant Secretary for Administration, \$676,000.*

17 *AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL*  
 18 *PAYMENTS*

19 *(INCLUDING TRANSFERS OF FUNDS)*  
 20 *For payment of space rental and related costs pursu-*  
 21 *ant to Public Law 92-313, including authorities pursuant*  
 22 *to the 1984 delegation of authority from the Administrator*  
 23 *of General Services to the Department of Agriculture under*  
 24 *40 U.S.C. 486, for programs and activities of the Depart-*  
 25 *ment which are included in this Act, and for alterations*

1 *and other actions needed for the Department and its agen-*  
 2 *cies to consolidate unneeded space into configurations suit-*  
 3 *able for release to the Administrator of General Services,*  
 4 *and for the operation, maintenance, improvement, and re-*  
 5 *pair of Agriculture buildings and facilities, and for related*  
 6 *costs, \$187,734,000, to remain available until expended, as*  
 7 *follows: for payments to the General Services Administra-*  
 8 *tion and the Department of Homeland Security for build-*  
 9 *ing security, \$147,734,000, and for buildings operations*  
 10 *and maintenance, \$40,000,000: Provided, That amounts*  
 11 *which are made available for space rental and related costs*  
 12 *for the Department of Agriculture in this Act may be trans-*  
 13 *ferred between such appropriations to cover the costs of ad-*  
 14 *ditional, new, or replacement space 15 days after notice*  
 15 *thereof is transmitted to the Appropriations Committees of*  
 16 *both Houses of Congress.*

17 *HAZARDOUS MATERIALS MANAGEMENT*

18 *(INCLUDING TRANSFERS OF FUNDS)*

19 *For necessary expenses of the Department of Agri-*  
 20 *culture, to comply with the Comprehensive Environmental*  
 21 *Response, Compensation, and Liability Act (42 U.S.C.*  
 22 *9601 et seq.) and the Resource Conservation and Recovery*  
 23 *Act (42 U.S.C. 6901 et seq.), \$12,000,000, to remain avail-*  
 24 *able until expended: Provided, That appropriations and*  
 25 *funds available herein to the Department for Hazardous*

1 *Materials Management may be transferred to any agency*  
 2 *of the Department for its use in meeting all requirements*  
 3 *pursuant to the above Acts on Federal and non-Federal*  
 4 *lands.*

5 *DEPARTMENTAL ADMINISTRATION*

6 *(INCLUDING TRANSFERS OF FUNDS)*

7 *For Departmental Administration, \$23,103,000, to*  
 8 *provide for necessary expenses for management support*  
 9 *services to offices of the Department and for general admin-*  
 10 *istration, security, repairs and alterations, and other mis-*  
 11 *cellaneous supplies and expenses not otherwise provided for*  
 12 *and necessary for the practical and efficient work of the*  
 13 *Department: Provided, That this appropriation shall be re-*  
 14 *imbursed from applicable appropriations in this Act for*  
 15 *travel expenses incident to the holding of hearings as re-*  
 16 *quired by 5 U.S.C. 551–558.*

17 *OFFICE OF THE ASSISTANT SECRETARY FOR*

18 *CONGRESSIONAL RELATIONS*

19 *(INCLUDING TRANSFERS OF FUNDS)*

20 *For necessary salaries and expenses of the Office of the*  
 21 *Assistant Secretary for Congressional Relations to carry out*  
 22 *the programs funded by this Act, including programs in-*  
 23 *volving intergovernmental affairs and liaison within the ex-*  
 24 *ecutive branch, \$3,846,000: Provided, That these funds may*  
 25 *be transferred to agencies of the Department of Agriculture*

1 *funded by this Act to maintain personnel at the agency*  
 2 *level: Provided further, That no funds made available by*  
 3 *this appropriation may be obligated after 30 days from the*  
 4 *date of enactment of this Act, unless the Secretary has noti-*  
 5 *fied the Committees on Appropriations of both Houses of*  
 6 *Congress on the allocation of these funds by USDA agency:*  
 7 *Provided further, That no other funds appropriated to the*  
 8 *Department by this Act shall be available to the Depart-*  
 9 *ment for support of activities of congressional relations.*

10 *OFFICE OF COMMUNICATIONS*

11 *For necessary expenses to carry out services relating*  
 12 *to the coordination of programs involving public affairs,*  
 13 *for the dissemination of agricultural information, and the*  
 14 *coordination of information, work, and programs author-*  
 15 *ized by Congress in the Department, \$9,509,000: Provided,*  
 16 *That not to exceed \$2,000,000 may be used for farmers' bul-*  
 17 *letins.*

18 *OFFICE OF THE INSPECTOR GENERAL*

19 *For necessary expenses of the Office of the Inspector*  
 20 *General, including employment pursuant to the Inspector*  
 21 *General Act of 1978, \$81,045,000, including such sums as*  
 22 *may be necessary for contracting and other arrangements*  
 23 *with public agencies and private persons pursuant to sec-*  
 24 *tion 6(a)(9) of the Inspector General Act of 1978, and in-*  
 25 *cluding not to exceed \$125,000 for certain confidential oper-*

1 *ational expenses, including the payment of informants, to*  
 2 *be expended under the direction of the Inspector General*  
 3 *pursuant to Public Law 95–452 and section 1337 of Public*  
 4 *Law 97–98.*

5 *OFFICE OF THE GENERAL COUNSEL*

6 *For necessary expenses of the Office of the General*  
 7 *Counsel, \$40,263,000.*

8 *OFFICE OF THE UNDER SECRETARY FOR RESEARCH,*  
 9 *EDUCATION AND ECONOMICS*

10 *For necessary salaries and expenses of the Office of the*  
 11 *Under Secretary for Research, Education and Economics*  
 12 *to administer the laws enacted by the Congress for the Eco-*  
 13 *nomie Research Service, the National Agricultural Statis-*  
 14 *tics Service, the Agricultural Research Service, and the Co-*  
 15 *operative State Research, Education, and Extension Serv-*  
 16 *ice, \$598,000.*

17 *ECONOMIC RESEARCH SERVICE*

18 *For necessary expenses of the Economic Research Serv-*  
 19 *ice in conducting economic research and analysis, as au-*  
 20 *thorized by the Agricultural Marketing Act of 1946 (7*  
 21 *U.S.C. 1621–1627) and other laws, \$78,549,000.*

22 *NATIONAL AGRICULTURAL STATISTICS SERVICE*

23 *For necessary expenses of the National Agricultural*  
 24 *Statistics Service in conducting statistical reporting and*  
 25 *service work, including crop and livestock estimates, statis-*



1 tical coordination and improvements, marketing surveys,  
 2 and the Census of Agriculture, as authorized by 7 U.S.C.  
 3 1621–1627 and 2204g, and other laws, \$145,159,000, of  
 4 which up to \$29,115,000 shall be available until expended  
 5 for the Census of Agriculture.

6                    *AGRICULTURAL RESEARCH SERVICE*

7                    *SALARIES AND EXPENSES*

8            *For necessary expenses to enable the Agricultural Re-*  
 9 *search Service to perform agricultural research and dem-*  
 10 *onstration relating to production, utilization, marketing,*  
 11 *and distribution (not otherwise provided for); home econom-*  
 12 *ics or nutrition and consumer use including the acquisition,*  
 13 *preservation, and dissemination of agricultural informa-*  
 14 *tion; and for acquisition of lands by donation, exchange,*  
 15 *or purchase at a nominal cost not to exceed \$100, and for*  
 16 *land exchanges where the lands exchanged shall be of equal*  
 17 *value or shall be equalized by a payment of money to the*  
 18 *grantor which shall not exceed 25 percent of the total value*  
 19 *of the land or interests transferred out of Federal ownership,*  
 20 *\$1,109,981,000: Provided, That appropriations hereunder*  
 21 *shall be available for the operation and maintenance of air-*  
 22 *craft and the purchase of not to exceed one for replacement*  
 23 *only: Provided further, That appropriations hereunder shall*  
 24 *be available pursuant to 7 U.S.C. 2250 for the construction,*  
 25 *alteration, and repair of buildings and improvements, but*

1 *unless otherwise provided, the cost of constructing any one*  
2 *building shall not exceed \$375,000, except for headhouses*  
3 *or greenhouses which shall each be limited to \$1,200,000,*  
4 *and except for 10 buildings to be constructed or improved*  
5 *at a cost not to exceed \$750,000 each, and the cost of alter-*  
6 *ing any one building during the fiscal year shall not exceed*  
7 *10 percent of the current replacement value of the building*  
8 *or \$375,000, whichever is greater: Provided further, That*  
9 *the limitations on alterations contained in this Act shall*  
10 *not apply to modernization or replacement of existing fa-*  
11 *cilities at Beltsville, Maryland: Provided further, That ap-*  
12 *propriations hereunder shall be available for granting ease-*  
13 *ments at the Beltsville Agricultural Research Center: Pro-*  
14 *vided further, That the foregoing limitations shall not apply*  
15 *to replacement of buildings needed to carry out the Act of*  
16 *April 24, 1948 (21 U.S.C. 113a): Provided further, That*  
17 *the foregoing limitations shall not apply to the purchase*  
18 *of land at Florence, South Carolina: Provided further, That*  
19 *funds may be received from any State, other political sub-*  
20 *division, organization, or individual for the purpose of es-*  
21 *tablishing or operating any research facility or research*  
22 *project of the Agricultural Research Service, as authorized*  
23 *by law: Provided further, That the Secretary, through the*  
24 *Agricultural Research Service, or successor, may lease ap-*  
25 *proximately 40 acres of land at the Central Plains Experi-*

1 ment Station, Nunn, Colorado, to the Board of Governors  
 2 of the Colorado State University System, for its Shortgrass  
 3 Steppe Biological Field Station, on such terms and condi-  
 4 tions as the Secretary deems in the public interest: Provided  
 5 further, That the Secretary understands that it is the intent  
 6 of the University to construct research and educational  
 7 buildings on the subject acreage and to conduct agricultural  
 8 research and educational activities in these buildings: Pro-  
 9 vided further, That as consideration for a lease, the Sec-  
 10 retary may accept the benefits of mutual cooperative re-  
 11 search to be conducted by the Colorado State University and  
 12 the Government at the Shortgrass Steppe Biological Field  
 13 Station: Provided further, That the term of any lease shall  
 14 be for no more than 20 years, but a lease may be renewed  
 15 at the option of the Secretary on such terms and conditions  
 16 as the Secretary deems in the public interest: Provided fur-  
 17 ther, That the Agricultural Research Service may convey  
 18 all rights and title of the United States, to a parcel of land  
 19 comprising 19 acres, more or less, located in Section 2,  
 20 Township 18 North, Range 14 East in Oktibbeha County,  
 21 Mississippi, originally conveyed by the Board of Trustees  
 22 of the Institution of Higher Learning of the State of Mis-  
 23 sissippi, and described in instruments recorded in Deed  
 24 Book 306 at pages 553–554, Deed Book 319 at page 219,  
 25 and Deed Book 33 at page 115, of the public land records

1 *of Oktibbeha County, Mississippi, including facilities, and*  
 2 *fixed equipment, to the Mississippi State University,*  
 3 *Starkville, Mississippi, in their “as is” condition, when va-*  
 4 *cated by the Agricultural Research Service.*

5 *None of the funds appropriated under this heading*  
 6 *shall be available to carry out research related to the pro-*  
 7 *duction, processing, or marketing of tobacco or tobacco*  
 8 *products.*

#### 9 *BUILDINGS AND FACILITIES*

10 *For acquisition of land, construction, repair, improve-*  
 11 *ment, extension, alteration, and purchase of fixed equip-*  
 12 *ment or facilities as necessary to carry out the agricultural*  
 13 *research programs of the Department of Agriculture, where*  
 14 *not otherwise provided, \$160,645,000, to remain available*  
 15 *until expended.*

#### 16 *COOPERATIVE STATE RESEARCH, EDUCATION, AND* 17 *EXTENSION SERVICE*

#### 18 *RESEARCH AND EDUCATION ACTIVITIES*

19 *For payments to agricultural experiment stations, for*  
 20 *cooperative forestry and other research, for facilities, and*  
 21 *for other expenses, \$652,231,000, as follows: to carry out*  
 22 *the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–*  
 23 *i), \$178,707,000; for grants for cooperative forestry research*  
 24 *(16 U.S.C. 582a through a–7), \$22,205,000; for payments*  
 25 *to the 1890 land-grant colleges, including Tuskegee Univer-*  
 26 *sity and West Virginia State University (7 U.S.C. 3222),*

1 \$37,477,000, of which \$1,507,496 shall be made available  
 2 only for the purpose of ensuring that each institution shall  
 3 receive no less than \$1,000,000; for special grants for agri-  
 4 cultural research (7 U.S.C. 450i(c)), \$110,281,000; for spe-  
 5 cial grants for agricultural research on improved pest con-  
 6 trol (7 U.S.C. 450i(c)), \$15,158,000; for competitive re-  
 7 search grants (7 U.S.C. 450i(b)), \$190,000,000; for the sup-  
 8 port of animal health and disease programs (7 U.S.C.  
 9 3195), \$5,057,000; for supplemental and alternative crops  
 10 and products (7 U.S.C. 3319d), \$833,000; for grants for re-  
 11 search pursuant to the Critical Agricultural Materials Act  
 12 (7 U.S.C. 178 et seq.), \$1,102,000, to remain available until  
 13 expended; for the 1994 research grants program for 1994  
 14 institutions pursuant to section 536 of Public Law 103–  
 15 382 (7 U.S.C. 301 note), \$1,078,000, to remain available  
 16 until expended; for rangeland research grants (7 U.S.C.  
 17 3333), \$992,000; for higher education graduate fellowship  
 18 grants (7 U.S.C. 3152(b)(6)), \$2,976,000, to remain avail-  
 19 able until expended (7 U.S.C. 2209b); for a higher education  
 20 agrosecurity education program (7 U.S.C. 3351), \$750,000,  
 21 to remain available until expended; for higher education  
 22 challenge grants (7 U.S.C. 3152(b)(1)), \$5,456,000; for a  
 23 higher education multicultural scholars program (7 U.S.C.  
 24 3152(b)(5)), \$990,000, to remain available until expended  
 25 (7 U.S.C. 2209b); for an education grants program for His-

1 *panic-serving Institutions (7 U.S.C. 3241), \$5,600,000; for*  
 2 *noncompetitive grants for the purpose of carrying out all*  
 3 *provisions of 7 U.S.C. 3242 (section 759 of Public Law*  
 4 *106–78) to individual eligible institutions or consortia of*  
 5 *eligible institutions in Alaska and in Hawaii, with funds*  
 6 *awarded equally to each of the States of Alaska and Ha-*  
 7 *waii, \$3,472,000; for a secondary agriculture education*  
 8 *program and 2-year post-secondary education (7 U.S.C.*  
 9 *3152(j)), \$992,000; for aquaculture grants (7 U.S.C. 3322),*  
 10 *\$3,968,000; for sustainable agriculture research and edu-*  
 11 *cation (7 U.S.C. 5811), \$12,400,000; for a program of ca-*  
 12 *capacity building grants (7 U.S.C. 3152(b)(4)) to colleges eli-*  
 13 *gible to receive funds under the Act of August 30, 1890 (7*  
 14 *U.S.C. 321–326 and 328), including Tuskegee University*  
 15 *and West Virginia State University, \$12,312,000, to re-*  
 16 *main available until expended (7 U.S.C. 2209b); for pay-*  
 17 *ments to the 1994 Institutions pursuant to section*  
 18 *534(a)(1) of Public Law 103–382, \$2,232,000; and for nec-*  
 19 *essary expenses of Research and Education Activities,*  
 20 *\$38,193,000, of which \$2,424,000 for the Research, Edu-*  
 21 *cation, and Economics Information System and \$1,928,000*  
 22 *for the Electronic Grants Information System, are to re-*  
 23 *main available until expended.*

24 *None of the funds appropriated under this heading*  
 25 *shall be available to carry out research related to the pro-*

1 *duction, processing, or marketing of tobacco or tobacco*  
 2 *products: Provided, That this paragraph shall not apply*  
 3 *to research on the medical, biotechnological, food, and in-*  
 4 *dustrial uses of tobacco.*

5 *NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND*

6 *For the Native American Institutions Endowment*  
 7 *Fund authorized by Public Law 103–382 (7 U.S.C. 301*  
 8 *note), \$12,000,000, to remain available until expended.*

9 *EXTENSION ACTIVITIES*

10 *For payments to States, the District of Columbia,*  
 11 *Puerto Rico, Guam, the Virgin Islands, Micronesia, North-*  
 12 *ern Marianas, and American Samoa, \$453,438,000, as fol-*  
 13 *lows: payments for cooperative extension work under the*  
 14 *Smith-Lever Act, to be distributed under sections 3(b) and*  
 15 *3(c) of said Act, and under section 208(c) of Public Law*  
 16 *93–471, for retirement and employees’ compensation costs*  
 17 *for extension agents, \$275,520,000; payments for extension*  
 18 *work at the 1994 Institutions under the Smith-Lever Act*  
 19 *(7 U.S.C. 343(b)(3)), \$3,247,000; payments for the nutri-*  
 20 *tion and family education program for low-income areas*  
 21 *under section 3(d) of the Act, \$62,909,000; payments for*  
 22 *the pest management program under section 3(d) of the Act,*  
 23 *\$9,920,000; payments for the farm safety program under*  
 24 *section 3(d) of the Act, \$4,563,000; payments for New Tech-*  
 25 *nologies for Ag Extension under Section 3(d) of the Act,*  
 26 *\$2,000,000; payments to upgrade research, extension, and*

1 *teaching facilities at the 1890 land-grant colleges, including*  
 2 *Tuskegee University and West Virginia State University,*  
 3 *as authorized by section 1447 of Public Law 95–113 (7*  
 4 *U.S.C. 3222b), \$16,777,000, to remain available until ex-*  
 5 *pendent; payments for youth-at-risk programs under section*  
 6 *3(d) of the Smith-Lever Act, \$7,478,000; for youth farm*  
 7 *safety education and certification extension grants, to be*  
 8 *awarded competitively under section 3(d) of the Act,*  
 9 *\$440,000; payments for carrying out the provisions of the*  
 10 *Renewable Resources Extension Act of 1978 (16 U.S.C.*  
 11 *1671 et seq.), \$4,060,000; payments for Indian reservation*  
 12 *agents under section 3(d) of the Smith-Lever Act,*  
 13 *\$1,760,000; payments for sustainable agriculture programs*  
 14 *under section 3(d) of the Act, \$4,067,000; payments for*  
 15 *rural health and safety education as authorized by section*  
 16 *502(i) of Public Law 92–419 (7 U.S.C. 2662(i)),*  
 17 *\$1,965,000; payments for cooperative extension work by the*  
 18 *colleges receiving the benefits of the second Morrill Act (7*  
 19 *U.S.C. 321–326 and 328) and Tuskegee University and*  
 20 *West Virginia State University, \$33,643,000, of which*  
 21 *\$1,724,884 shall be made available only for the purpose of*  
 22 *ensuring that each institution shall receive no less than*  
 23 *\$1,000,000; for grants to youth organizations pursuant to*  
 24 *section 7630 of title 7, United States Code, \$2,646,000; and*  
 25 *for necessary expenses of Extension Activities, \$22,443,000.*



1 *INTEGRATED ACTIVITIES*

2 *For the integrated research, education, and extension*  
3 *grants programs, including necessary administrative ex-*  
4 *penses, \$55,784,000, as follows: for competitive grants pro-*  
5 *grams authorized under section 406 of the Agricultural Re-*  
6 *search, Extension, and Education Reform Act of 1998 (7*  
7 *U.S.C. 7626), \$45,784,000, including \$12,867,000 for the*  
8 *water quality program, \$14,847,000 for the food safety pro-*  
9 *gram, \$4,167,000 for the regional pest management centers*  
10 *program, \$4,464,000 for the Food Quality Protection Act*  
11 *risk mitigation program for major food crop systems,*  
12 *\$1,389,000 for the crops affected by Food Quality Protection*  
13 *Act implementation, \$3,106,000 for the methyl bromide*  
14 *transition program, and \$1,874,000 for the organic transi-*  
15 *tion program; for a competitive international science and*  
16 *education grants program authorized under section 1459A*  
17 *of the National Agricultural Research, Extension, and*  
18 *Teaching Policy Act of 1977 (7 U.S.C. 3292b), to remain*  
19 *available until expended, \$992,000; for grants programs au-*  
20 *thorized under section 2(c)(1)(B) of Public Law 89–106, as*  
21 *amended, \$744,000, to remain available until September*  
22 *30, 2007 for the critical issues program, and \$1,334,000*  
23 *for the regional rural development centers program; and*  
24 *\$10,000,000 for the Food and Agriculture Defense Initiative*  
25 *authorized under section 1484 of the National Agricultural*

1 *Research, Extension, and Teaching Act of 1977, to remain*  
 2 *available until September 30, 2007.*

3 *OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS*

4 *For grants and contracts pursuant to section 2501 of*  
 5 *the Food, Agriculture, Conservation, and Trade Act of 1990*  
 6 *(7 U.S.C. 2279), \$5,888,000, to remain available until ex-*  
 7 *pended.*

8 *OFFICE OF THE UNDER SECRETARY FOR MARKETING AND*  
 9 *REGULATORY PROGRAMS*

10 *For necessary salaries and expenses of the Office of the*  
 11 *Under Secretary for Marketing and Regulatory Programs*  
 12 *to administer programs under the laws enacted by the Con-*  
 13 *gress for the Animal and Plant Health Inspection Service;*  
 14 *the Agricultural Marketing Service; and the Grain Inspec-*  
 15 *tion, Packers and Stockyards Administration; \$724,000.*

16 *ANIMAL AND PLANT HEALTH INSPECTION SERVICE*

17 *SALARIES AND EXPENSES*

18 *(INCLUDING TRANSFERS OF FUNDS)*

19 *For expenses, not otherwise provided for, necessary to*  
 20 *prevent, control, and eradicate pests and plant and animal*  
 21 *diseases; to carry out inspection, quarantine, and regu-*  
 22 *latory activities; and to protect the environment, as author-*  
 23 *ized by law, \$807,768,000, of which \$4,140,000 shall be*  
 24 *available for the control of outbreaks of insects, plant dis-*  
 25 *eases, animal diseases and for control of pest animals and*  
 26 *birds to the extent necessary to meet emergency conditions;*

1 of which \$39,900,000 shall be used for the boll weevil eradi-  
2 cation program for cost share purposes or for debt retire-  
3 ment for active eradication zones; of which \$32,932,000  
4 shall be available for a National Animal Identification pro-  
5 gram: Provided, That no funds shall be used to formulate  
6 or administer a brucellosis eradication program for the cur-  
7 rent fiscal year that does not require minimum matching  
8 by the States of at least 40 percent: Provided further, That  
9 this appropriation shall be available for the operation and  
10 maintenance of aircraft and the purchase of not to exceed  
11 four, of which two shall be for replacement only: Provided  
12 further, That, in addition, in emergencies which threaten  
13 any segment of the agricultural production industry of this  
14 country, the Secretary may transfer from other appropria-  
15 tions or funds available to the agencies or corporations of  
16 the Department such sums as may be deemed necessary, to  
17 be available only in such emergencies for the arrest and  
18 eradication of contagious or infectious disease or pests of  
19 animals, poultry, or plants, and for expenses in accordance  
20 with sections 10411 and 10417 of the Animal Health Pro-  
21 tection Act (7 U.S.C. 8310 and 8316) and sections 431 and  
22 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772),  
23 and any unexpended balances of funds transferred for such  
24 emergency purposes in the preceding fiscal year shall be  
25 merged with such transferred amounts: Provided further,

1 *That appropriations hereunder shall be available pursuant*  
 2 *to law (7 U.S.C. 2250) for the repair and alteration of*  
 3 *leased buildings and improvements, but unless otherwise*  
 4 *provided the cost of altering any one building during the*  
 5 *fiscal year shall not exceed 10 percent of the current replace-*  
 6 *ment value of the building: Provided further, That none of*  
 7 *the funds may be used to demolish or dismantle the Hawaii*  
 8 *Fruit Fly Production Facility in Waimanalo, Hawaii.*

9 *In fiscal year 2006, the agency is authorized to collect*  
 10 *fees to cover the total costs of providing technical assistance,*  
 11 *goods, or services requested by States, other political sub-*  
 12 *divisions, domestic and international organizations, foreign*  
 13 *governments, or individuals, provided that such fees are*  
 14 *structured such that any entity's liability for such fees is*  
 15 *reasonably based on the technical assistance, goods, or serv-*  
 16 *ices provided to the entity by the agency, and such fees shall*  
 17 *be credited to this account, to remain available until ex-*  
 18 *pended, without further appropriation, for providing such*  
 19 *assistance, goods, or services.*

## 20 *BUILDINGS AND FACILITIES*

21 *For plans, construction, repair, preventive mainte-*  
 22 *nance, environmental support, improvement, extension, al-*  
 23 *teration, and purchase of fixed equipment or facilities, as*  
 24 *authorized by 7 U.S.C. 2250, and acquisition of land as*  
 25 *authorized by 7 U.S.C. 428a, \$4,996,000, to remain avail-*  
 26 *able until expended.*

1                    *AGRICULTURAL MARKETING SERVICE*

2                    *MARKETING SERVICES*

3            *For necessary expenses to carry out services related to*  
4 *consumer protection, agricultural marketing and distribu-*  
5 *tion, transportation, and regulatory programs, as author-*  
6 *ized by law, and for administration and coordination of*  
7 *payments to States, \$76,643,000, including funds for the*  
8 *wholesale market development program for the design and*  
9 *development of wholesale and farmer market facilities for*  
10 *the major metropolitan areas of the country: Provided, That*  
11 *this appropriation shall be available pursuant to law (7*  
12 *U.S.C. 2250) for the alteration and repair of buildings and*  
13 *improvements, but the cost of altering any one building*  
14 *during the fiscal year shall not exceed 10 percent of the cur-*  
15 *rent replacement value of the building.*

16           *Fees may be collected for the cost of standardization*  
17 *activities, as established by regulation pursuant to law (31*  
18 *U.S.C. 9701).*

19                    *LIMITATION ON ADMINISTRATIVE EXPENSES*

20           *Not to exceed \$65,667,000 (from fees collected) shall be*  
21 *obligated during the current fiscal year for administrative*  
22 *expenses: Provided, That if crop size is understated and/*  
23 *or other uncontrollable events occur, the agency may exceed*  
24 *this limitation by up to 10 percent with notification to the*  
25 *Committees on Appropriations of both Houses of Congress.*

1     *FUNDS FOR STRENGTHENING MARKETS, INCOME, AND*

2                     *SUPPLY (SECTION 32)*

3                     *(INCLUDING TRANSFERS OF FUNDS)*

4         *Funds available under section 32 of the Act of August*  
 5     *24, 1935 (7 U.S.C. 612c), shall be used only for commodity*  
 6     *program expenses as authorized therein, and other related*  
 7     *operating expenses, except for: (1) transfers to the Depart-*  
 8     *ment of Commerce as authorized by the Fish and Wildlife*  
 9     *Act of August 8, 1956; (2) transfers otherwise provided in*  
 10    *this Act; and (3) not more than \$16,055,000 for formulation*  
 11    *and administration of marketing agreements and orders*  
 12    *pursuant to the Agricultural Marketing Agreement Act of*  
 13    *1937 and the Agricultural Act of 1961.*

14                    *PAYMENTS TO STATES AND POSSESSIONS*

15         *For payments to departments of agriculture, bureaus*  
 16     *and departments of markets, and similar agencies for mar-*  
 17     *keting activities under section 204(b) of the Agricultural*  
 18     *Marketing Act of 1946 (7 U.S.C. 1623(b)), \$3,847,000, of*  
 19     *which not less than \$2,500,000 shall be used to make a*  
 20     *grant under this heading.*

21                    *GRAIN INSPECTION, PACKERS AND STOCKYARDS*

22                     *ADMINISTRATION*

23                     *SALARIES AND EXPENSES*

24         *For necessary expenses to carry out the provisions of*  
 25     *the United States Grain Standards Act, for the administra-*  
 26     *tion of the Packers and Stockyards Act, for certifying proce-*

1 *dures used to protect purchasers of farm products, and the*  
 2 *standardization activities related to grain under the Agri-*  
 3 *cultural Marketing Act of 1946, \$38,443,000: Provided,*  
 4 *That this appropriation shall be available pursuant to law*  
 5 *(7 U.S.C. 2250) for the alteration and repair of buildings*  
 6 *and improvements, but the cost of altering any one building*  
 7 *during the fiscal year shall not exceed 10 percent of the cur-*  
 8 *rent replacement value of the building.*

9 *LIMITATION ON INSPECTION AND WEIGHING SERVICES*

10 *EXPENSES*

11 *Not to exceed \$42,463,000 (from fees collected) shall be*  
 12 *obligated during the current fiscal year for inspection and*  
 13 *weighing services: Provided, That if grain export activities*  
 14 *require additional supervision and oversight, or other un-*  
 15 *controllable factors occur, this limitation may be exceeded*  
 16 *by up to 10 percent with notification to the Committees*  
 17 *on Appropriations of both Houses of Congress.*

18 *OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY*

19 *For necessary salaries and expenses of the Office of the*  
 20 *Under Secretary for Food Safety to administer the laws en-*  
 21 *acted by the Congress for the Food Safety and Inspection*  
 22 *Service, \$602,000.*

23 *FOOD SAFETY AND INSPECTION SERVICE*

24 *For necessary expenses to carry out services authorized*  
 25 *by the Federal Meat Inspection Act, the Poultry Products*  
 26 *Inspection Act, and the Egg Products Inspection Act, in-*

cluding not to exceed \$50,000 for representation allowances  
and for expenses pursuant to section 8 of the Act approved  
August 3, 1956 (7 U.S.C. 1766), \$836,818,000, of which no  
less than \$751,457,000 shall be available for Federal food  
safety inspection; and in addition, \$1,000,000 may be cred-  
ited to this account from fees collected for the cost of labora-  
tory accreditation as authorized by section 1327 of the  
Food, Agriculture, Conservation and Trade Act of 1990 (7  
U.S.C. 138f): Provided, That no fewer than 63 full time  
equivalent positions above the fiscal year 2002 level shall  
be employed during fiscal year 2006 for purposes dedicated  
solely to inspections and enforcement related to the Humane  
Methods of Slaughter Act: Provided further, That of the  
amount available under this heading, notwithstanding sec-  
tion 704 of this Act \$5,000,000, available until September  
30, 2007, shall be obligated to include the Humane Animal  
Tracking System as part of the Field Automation and In-  
formation Management System following notification to the  
Committees on Appropriations, which shall include a de-  
tailed explanation of the components of such system: Pro-  
vided further, That of the total amount made available  
under this heading, no less than \$20,653,000 shall be obli-  
gated for regulatory and scientific training: Provided fur-  
ther, That this appropriation shall be available pursuant  
to law (7 U.S.C. 2250) for the alteration and repair of



1 *buildings and improvements, but the cost of altering any*  
 2 *one building during the fiscal year shall not exceed 10 per-*  
 3 *cent of the current replacement value of the building.*

4 *OFFICE OF THE UNDER SECRETARY FOR FARM AND*  
 5 *FOREIGN AGRICULTURAL SERVICES*

6 *For necessary salaries and expenses of the Office of the*  
 7 *Under Secretary for Farm and Foreign Agricultural Serv-*  
 8 *ices to administer the laws enacted by Congress for the*  
 9 *Farm Service Agency, the Foreign Agricultural Service, the*  
 10 *Risk Management Agency, and the Commodity Credit Cor-*  
 11 *poration, \$635,000.*

12 *FARM SERVICE AGENCY*

13 *SALARIES AND EXPENSES*

14 *(INCLUDING TRANSFERS OF FUNDS)*

15 *For necessary expenses for carrying out the adminis-*  
 16 *tration and implementation of programs administered by*  
 17 *the Farm Service Agency, \$1,043,555,000: Provided, That*  
 18 *the Secretary is authorized to use the services, facilities, and*  
 19 *authorities (but not the funds) of the Commodity Credit*  
 20 *Corporation to make program payments for all programs*  
 21 *administered by the Agency: Provided further, That other*  
 22 *funds made available to the Agency for authorized activities*  
 23 *may be advanced to and merged with this account.*

1                                    *STATE MEDIATION GRANTS*

2            *For grants pursuant to section 502(b) of the Agricul-*  
 3 *tural Credit Act of 1987, as amended (7 U.S.C. 5101–5106),*  
 4 *\$4,250,000.*

5                                    *GRASSROOTS SOURCE WATER PROTECTION PROGRAM*

6            *For necessary expenses to carry out wellhead or*  
 7 *groundwater protection activities under section 1240O of*  
 8 *the Food Security Act of 1985 (16 U.S.C. 3839bb–2),*  
 9 *\$4,250,000, to remain available until expended.*

10                                  *DAIRY INDEMNITY PROGRAM*

11                                  *(INCLUDING TRANSFER OF FUNDS)*

12            *For necessary expenses involved in making indemnity*  
 13 *payments to dairy farmers and manufacturers of dairy*  
 14 *products under a dairy indemnity program, \$100,000, to*  
 15 *remain available until expended: Provided, That such pro-*  
 16 *gram is carried out by the Secretary in the same manner*  
 17 *as the dairy indemnity program described in the Agri-*  
 18 *culture, Rural Development, Food and Drug Administra-*  
 19 *tion, and Related Agencies Appropriations Act, 2001 (Pub-*  
 20 *lic Law 106–387, 114 Stat. 1549A–12).*

21                                  *AGRICULTURAL CREDIT INSURANCE FUND PROGRAM*

22                                  *ACCOUNT*

23                                  *(INCLUDING TRANSFERS OF FUNDS)*

24            *For gross obligations for the principal amount of di-*  
 25 *rect and guaranteed farm ownership (7 U.S.C. 1922 et seq.)*  
 26 *and operating (7 U.S.C. 1941 et seq.) loans, Indian tribe*

1 *land acquisition loans (25 U.S.C. 488), and boll weevil*  
 2 *loans (7 U.S.C. 1989), to be available from funds in the*  
 3 *Agricultural Credit Insurance Fund, as follows: farm own-*  
 4 *ership loans, \$1,608,000,000, of which \$1,400,000,000 shall*  
 5 *be for guaranteed loans and \$208,000,000 shall be for direct*  
 6 *loans; operating loans, \$2,033,000,000, of which*  
 7 *\$1,100,000,000 shall be for unsubsidized guaranteed loans,*  
 8 *\$283,000,000 shall be for subsidized guaranteed loans and*  
 9 *\$650,000,000 shall be for direct loans; Indian tribe land*  
 10 *acquisition loans, \$2,000,000; and for boll weevil eradi-*  
 11 *cation program loans, \$100,000,000: Provided, That the*  
 12 *Secretary shall deem the pink bollworm to be a boll weevil*  
 13 *for the purpose of boll weevil eradication program loans.*

14 *For the cost of direct and guaranteed loans, including*  
 15 *the cost of modifying loans as defined in section 502 of the*  
 16 *Congressional Budget Act of 1974, as follows: farm owner-*  
 17 *ship loans, \$17,370,000, of which \$6,720,000 shall be for*  
 18 *guaranteed loans, and \$10,650,000 shall be for direct loans;*  
 19 *operating loans, \$133,380,000, of which \$33,330,000 shall*  
 20 *be for unsubsidized guaranteed loans, \$35,375,000 shall be*  
 21 *for subsidized guaranteed loans, and \$64,675,000 shall be*  
 22 *for direct loans; and Indian tribe land acquisition loans,*  
 23 *\$80,000.*

24 *In addition, for administrative expenses necessary to*  
 25 *carry out the direct and guaranteed loan programs,*

1 \$317,137,000, of which \$309,137,000 shall be transferred to  
 2 and merged with the appropriation for “Farm Service  
 3 Agency, Salaries and Expenses”.

4 Funds appropriated by this Act to the Agricultural  
 5 Credit Insurance Program Account for farm ownership and  
 6 operating direct loans and guaranteed loans may be trans-  
 7 ferred among these programs: Provided, That the Commit-  
 8 tees on Appropriations of both Houses of Congress are noti-  
 9 fied at least 15 days in advance of any transfer.

#### 10 RISK MANAGEMENT AGENCY

11 For administrative and operating expenses, as author-  
 12 ized by section 226A of the Department of Agriculture Reor-  
 13 ganization Act of 1994 (7 U.S.C. 6933), \$73,448,000: Pro-  
 14 vided, That not to exceed \$1,000 shall be available for offi-  
 15 cial reception and representation expenses, as authorized by  
 16 7 U.S.C. 1506(i).

#### 17 CORPORATIONS

18 The following corporations and agencies are hereby au-  
 19 thorized to make expenditures, within the limits of funds  
 20 and borrowing authority available to each such corporation  
 21 or agency and in accord with law, and to make contracts  
 22 and commitments without regard to fiscal year limitations  
 23 as provided by section 104 of the Government Corporation  
 24 Control Act as may be necessary in carrying out the pro-

1 *grams set forth in the budget for the current fiscal year for*  
 2 *such corporation or agency, except as hereinafter provided.*

3 *FEDERAL CROP INSURANCE CORPORATION FUND*

4 *For payments as authorized by section 516 of the Fed-*  
 5 *eral Crop Insurance Act (7 U.S.C. 1516), such sums as may*  
 6 *be necessary, to remain available until expended.*

7 *COMMODITY CREDIT CORPORATION FUND*

8 *REIMBURSEMENT FOR NET REALIZED LOSSES*

9 *For the current fiscal year, such sums as may be nec-*  
 10 *essary to reimburse the Commodity Credit Corporation for*  
 11 *net realized losses sustained, but not previously reimbursed,*  
 12 *pursuant to section 2 of the Act of August 17, 1961 (15*  
 13 *U.S.C. 713a-11): Provided, That of the funds available to*  
 14 *the Commodity Credit Corporation under section 11 of the*  
 15 *Commodity Credit Corporation Charter Act (15 U.S.C*  
 16 *714i) for the conduct of its business with the Foreign Agri-*  
 17 *cultural Service, up to \$5,000,000 may be transferred to*  
 18 *and used by the Foreign Agricultural Service for informa-*  
 19 *tion resource management activities of the Foreign Agricul-*  
 20 *tural Service that are not related to Commodity Credit Cor-*  
 21 *poration business.*

22 *HAZARDOUS WASTE MANAGEMENT*

23 *(LIMITATION ON EXPENSES)*

24 *For the current fiscal year, the Commodity Credit Cor-*  
 25 *poration shall not expend more than \$5,000,000 for site in-*  
 26 *vestigation and cleanup expenses, and operations and*

1 *maintenance expenses to comply with the requirement of*  
 2 *section 107(g) of the Comprehensive Environmental Re-*  
 3 *sponse, Compensation, and Liability Act (42 U.S.C.*  
 4 *9607(g)), and section 6001 of the Resource Conservation*  
 5 *and Recovery Act (42 U.S.C. 6961).*

## 6 *TITLE II*

### 7 *CONSERVATION PROGRAMS*

#### 8 *OFFICE OF THE UNDER SECRETARY FOR NATURAL* 9 *RESOURCES AND ENVIRONMENT*

10 *For necessary salaries and expenses of the Office of the*  
 11 *Under Secretary for Natural Resources and Environment*  
 12 *to administer the laws enacted by the Congress for the For-*  
 13 *est Service and the Natural Resources Conservation Service,*  
 14 *\$744,000.*

#### 15 *NATURAL RESOURCES CONSERVATION SERVICE*

#### 16 *CONSERVATION OPERATIONS*

17 *For necessary expenses to carry out the provisions of*  
 18 *the Act of April 27, 1935 (16 U.S.C. 590a–f), including*  
 19 *preparation of conservation plans and establishment of*  
 20 *measures to conserve soil and water (including farm irriga-*  
 21 *tion and land drainage and such special measures for soil*  
 22 *and water management as may be necessary to prevent*  
 23 *floods and the siltation of reservoirs and to control agricul-*  
 24 *tural related pollutants); operation of conservation plant*  
 25 *materials centers; classification and mapping of soil; dis-*

1 *semination of information; acquisition of lands, water, and*  
 2 *interests therein for use in the plant materials program by*  
 3 *donation, exchange, or purchase at a nominal cost not to*  
 4 *exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C.*  
 5 *428a); purchase and erection or alteration or improvement*  
 6 *of permanent and temporary buildings; and operation and*  
 7 *maintenance of aircraft, \$819,561,000, to remain available*  
 8 *until expended, of which not less than \$11,000,000 is for*  
 9 *snow survey and water forecasting, and not less than*  
 10 *\$11,847,000 is for operation and establishment of the plant*  
 11 *materials centers, and of which not less than \$28,156,000*  
 12 *shall be for the grazing lands conservation initiative: Pro-*  
 13 *vided, That appropriations hereunder shall be available*  
 14 *pursuant to 7 U.S.C. 2250 for construction and improve-*  
 15 *ment of buildings and public improvements at plant mate-*  
 16 *rials centers, except that the cost of alterations and im-*  
 17 *provements to other buildings and other public improve-*  
 18 *ments shall not exceed \$250,000: Provided further, That*  
 19 *when buildings or other structures are erected on non-Fed-*  
 20 *eral land, that the right to use such land is obtained as*  
 21 *provided in 7 U.S.C. 2250a: Provided further, That this*  
 22 *appropriation shall be available for technical assistance*  
 23 *and related expenses to carry out programs authorized by*  
 24 *section 202(c) of title II of the Colorado River Basin Salin-*  
 25 *ity Control Act of 1974 (43 U.S.C. 1592(c)): Provided fur-*

1 *ther, That qualified local engineers may be temporarily em-*  
 2 *ployed at per diem rates to perform the technical planning*  
 3 *work of the Service.*

4 WATERSHED SURVEYS AND PLANNING

5 *For necessary expenses to conduct research, investiga-*  
 6 *tion, and surveys of watersheds of rivers and other water-*  
 7 *ways, and for small watershed investigations and planning,*  
 8 *in accordance with the Watershed Protection and Flood*  
 9 *Prevention Act (16 U.S.C. 1001–1009), \$5,141,000.*

10 WATERSHED AND FLOOD PREVENTION OPERATIONS

11 *For necessary expenses to carry out preventive meas-*  
 12 *ures, including but not limited to research, engineering op-*  
 13 *erations, methods of cultivation, the growing of vegetation,*  
 14 *rehabilitation of existing works and changes in use of land,*  
 15 *in accordance with the Watershed Protection and Flood*  
 16 *Prevention Act (16 U.S.C. 1001–1005 and 1007–1009), the*  
 17 *provisions of the Act of April 27, 1935 (16 U.S.C. 590a–*  
 18 *f), and in accordance with the provisions of laws relating*  
 19 *to the activities of the Department, \$60,000,000, to remain*  
 20 *available until expended; of which up to \$10,000,000 may*  
 21 *be available for the watersheds authorized under the Flood*  
 22 *Control Act (33 U.S.C. 701 and 16 U.S.C. 1006a): Pro-*  
 23 *vided, That not to exceed \$27,199,000 of this appropriation*  
 24 *shall be available for technical assistance: Provided further,*  
 25 *That not to exceed \$1,000,000 of this appropriation is*  
 26 *available to carry out the purposes of the Endangered Spe-*



cies Act of 1973 (Public Law 93–205), including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

#### WATERSHED REHABILITATION PROGRAM

For necessary expenses to carry out rehabilitation of structural measures, in accordance with section 14 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012), and in accordance with the provisions of laws relating to the activities of the Department, \$27,313,000, to remain available until expended.

#### RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of sections 31 and 32 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27, 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), \$51,228,000, to remain available until expended.

### TITLE III

#### RURAL DEVELOPMENT PROGRAMS

##### OFFICE OF THE UNDER SECRETARY FOR RURAL

##### DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer pro-

1 *grams under the laws enacted by the Congress for the Rural*  
 2 *Housing Service, the Rural Business-Cooperative Service,*  
 3 *and the Rural Utilities Service of the Department of Agri-*  
 4 *culture, \$635,000.*

5 *RURAL COMMUNITY ADVANCEMENT PROGRAM*  
 6 *(INCLUDING TRANSFERS OF FUNDS)*

7 *For the cost of direct loans, loan guarantees, and*  
 8 *grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c,*  
 9 *1926d, and 1932, except for sections 381E–H and 381N of*  
 10 *the Consolidated Farm and Rural Development Act,*  
 11 *\$705,106,000, to remain available until expended, of which*  
 12 *\$86,770,000 shall be for rural community programs de-*  
 13 *scribed in section 381E(d)(1) of such Act; of which*  
 14 *\$528,115,000 shall be for the rural utilities programs de-*  
 15 *scribed in sections 381E(d)(2), 306C(a)(2), and 306D of*  
 16 *such Act, of which not to exceed \$496,000 shall be available*  
 17 *for the rural utilities program described in section*  
 18 *306(a)(2)(B) of such Act, and of which not to exceed*  
 19 *\$992,000 shall be available for the rural utilities program*  
 20 *described in section 306E of such Act; and of which*  
 21 *\$90,221,000 shall be for the rural business and cooperative*  
 22 *development programs described in sections 381E(d)(3) and*  
 23 *310B(f) of such Act: Provided, That of the total amount*  
 24 *appropriated in this account, \$26,000,000 shall be for loans*  
 25 *and grants to benefit Federally Recognized Native Amer-*  
 26 *ican Tribes, including grants for drinking water and waste*

1 disposal systems pursuant to section 306C of such Act, of  
 2 which \$4,464,000 shall be available for community facilities  
 3 grants to tribal colleges, as authorized by section 306(a)(19)  
 4 of the Consolidated Farm and Rural Development Act, and  
 5 of which \$250,000 shall be available for a grant to a quali-  
 6 fied national organization to provide technical assistance  
 7 for rural transportation in order to promote economic de-  
 8 velopment: Provided further, That of the amount appro-  
 9 priated for rural community programs, \$6,500,000 shall be  
 10 available for a Rural Community Development Initiative:  
 11 Provided further, That such funds shall be used solely to  
 12 develop the capacity and ability of private, nonprofit com-  
 13 munity-based housing and community development organi-  
 14 zations, low-income rural communities, and Federally Rec-  
 15 ognized Native American Tribes to undertake projects to  
 16 improve housing, community facilities, community and eco-  
 17 nomic development projects in rural areas: Provided fur-  
 18 ther, That such funds shall be made available to qualified  
 19 private, nonprofit and public intermediary organizations  
 20 proposing to carry out a program of financial and technical  
 21 assistance: Provided further, That such intermediary orga-  
 22 nizations shall provide matching funds from other sources,  
 23 including Federal funds for related activities, in an amount  
 24 not less than funds provided: Provided further, That of the  
 25 amount appropriated for the rural business and cooperative

1 *development programs, not to exceed \$500,000 shall be made*  
 2 *available for a grant to a qualified national organization*  
 3 *to provide technical assistance for rural transportation in*  
 4 *order to promote economic development; \$140,000 shall be*  
 5 *made available to conduct a feasibility study; \$3,000,000*  
 6 *shall be for grants to the Delta Regional Authority (7*  
 7 *U.S.C. 1921 et seq.) for any purpose under this heading:*  
 8 *Provided further, That of the amount appropriated for*  
 9 *rural utilities programs, not to exceed \$25,000,000 shall be*  
 10 *for water and waste disposal systems to benefit the Colonias*  
 11 *along the United States/Mexico border, including grants*  
 12 *pursuant to section 306C of such Act; \$26,000,000 shall be*  
 13 *for water and waste disposal systems for rural and native*  
 14 *villages in Alaska pursuant to section 306D of such Act,*  
 15 *with up to 2 percent available to administer the program*  
 16 *and/or improve interagency coordination may be trans-*  
 17 *ferred to and merged with the appropriation for “Rural De-*  
 18 *velopment, Salaries and Expenses”, of which \$100,000 shall*  
 19 *be provided to develop a regional system for centralized bill-*  
 20 *ing, operation, and management of rural water and sewer*  
 21 *utilities through regional cooperatives, of which 25 percent*  
 22 *shall be provided for water and sewer projects in regional*  
 23 *hubs, and the State of Alaska shall provide a 25 percent*  
 24 *cost share, and grantees may use up to 5 percent of grant*  
 25 *funds, not to exceed \$35,000 per community, for the comple-*

1 *tion of comprehensive community safe water plans; not to*  
 2 *exceed \$18,250,000 shall be for technical assistance grants*  
 3 *for rural water and waste systems pursuant to section*  
 4 *306(a)(14) of such Act, of which \$5,600,000 shall be for*  
 5 *Rural Community Assistance Programs and not less than*  
 6 *\$850,000 shall be for a qualified national Native American*  
 7 *organization to provide technical assistance for rural water*  
 8 *systems for tribal communities; and not to exceed*  
 9 *\$13,500,000 shall be for contracting with qualified national*  
 10 *organizations for a circuit rider program to provide tech-*  
 11 *nical assistance for rural water systems: Provided further,*  
 12 *That of the total amount appropriated, not to exceed*  
 13 *\$21,367,000 shall be available through June 30, 2006, for*  
 14 *authorized empowerment zones and enterprise communities*  
 15 *and communities designated by the Secretary of Agriculture*  
 16 *as Rural Economic Area Partnership Zones; of which*  
 17 *\$1,067,000 shall be for the rural community programs de-*  
 18 *scribed in section 381E(d)(1) of such Act, of which*  
 19 *\$12,000,000 shall be for the rural utilities programs de-*  
 20 *scribed in section 381E(d)(2) of such Act, and of which*  
 21 *\$8,300,000 shall be for the rural business and cooperative*  
 22 *development programs described in section 381E(d)(3) of*  
 23 *such Act: Provided further, That of the amount appro-*  
 24 *priated for rural community programs, \$20,000,000 shall*  
 25 *be to provide grants for facilities in rural communities with*

1 *extreme unemployment and severe economic depression*  
 2 *(Public Law 106–387), with 5 percent for administration*  
 3 *and capacity building in the State rural development of-*  
 4 *fices: Provided further, That of the amount appropriated,*  
 5 *\$28,000,000 shall be transferred to and merged with the*  
 6 *“Rural Utilities Service, High Energy Cost Grants Ac-*  
 7 *count” to provide grants authorized under section 19 of the*  
 8 *Rural Electrification Act of 1936 (7 U.S.C. 918a): Provided*  
 9 *further, That any prior year balances for high cost energy*  
 10 *grants authorized by section 19 of the Rural Electrification*  
 11 *Act of 1936 (7 U.S.C. 901(19)) shall be transferred to and*  
 12 *merged with the “Rural Utilities Service, High Energy*  
 13 *Costs Grants Account”.*

14 *RURAL DEVELOPMENT SALARIES AND EXPENSES*

15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *For necessary expenses for carrying out the adminis-*  
 17 *tration and implementation of programs in the Rural De-*  
 18 *velopment mission area, including activities with institu-*  
 19 *tions concerning the development and operation of agricul-*  
 20 *tural cooperatives; and for cooperative agreements;*  
 21 *\$164,773,000: Provided, That notwithstanding any other*  
 22 *provision of law, funds appropriated under this section*  
 23 *may be used for advertising and promotional activities that*  
 24 *support the Rural Development mission area: Provided fur-*  
 25 *ther, That not more than \$10,000 may be expended to pro-*

1 *vide modest nonmonetary awards to non-USDA employees:*  
 2 *Provided further, That any balances available from prior*  
 3 *years for the Rural Utilities Service, Rural Housing Serv-*  
 4 *ice, and the Rural Business-Cooperative Service salaries*  
 5 *and expenses accounts shall be transferred to and merged*  
 6 *with this appropriation.*

7 *RURAL HOUSING SERVICE*

8 *RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT*

9 *(INCLUDING TRANSFERS OF FUNDS)*

10 *For gross obligations for the principal amount of di-*  
 11 *rect and guaranteed loans as authorized by title V of the*  
 12 *Housing Act of 1949, to be available from funds in the rural*  
 13 *housing insurance fund, as follows: \$4,927,581,000 for loans*  
 14 *to section 502 borrowers, as determined by the Secretary,*  
 15 *of which \$1,000,000,000 shall be for direct loans, and of*  
 16 *which \$3,681,033,000 shall be for unsubsidized guaranteed*  
 17 *loans; \$35,000,000 for section 504 housing repair loans;*  
 18 *\$90,000,000 for section 515 rental housing; \$100,000,000*  
 19 *for section 538 guaranteed multi-family housing loans;*  
 20 *\$5,000,000 for section 524 site loans; \$11,500,000 for credit*  
 21 *sales of acquired property, of which up to \$1,500,000 may*  
 22 *be for multi-family credit sales; and \$5,048,000 for section*  
 23 *523 self-help housing land development loans.*

24 *For the cost of direct and guaranteed loans, including*  
 25 *the cost of modifying loans, as defined in section 502 of*  
 26 *the Congressional Budget Act of 1974, as follows: section*

1 502 loans, \$154,800,000, of which \$113,900,000 shall be for  
 2 direct loans, and of which \$40,900,000, to remain available  
 3 until expended, shall be for unsubsidized guaranteed loans;  
 4 section 504 housing repair loans, \$10,238,000; repair, reha-  
 5 bilitation, and new construction of section 515 rental hous-  
 6 ing, \$41,292,000; section 538 multi-family housing guaran-  
 7 teed loans, \$5,420,000; multi-family credit sales of acquired  
 8 property, \$681,000; section 523 self-help housing and devel-  
 9 opment loans, \$52,000: *Provided, That of the total amount*  
 10 *appropriated in this paragraph, \$2,500,000 shall be avail-*  
 11 *able through June 30, 2006, for authorized empowerment*  
 12 *zones and enterprise communities and communities des-*  
 13 *ignated by the Secretary of Agriculture as Rural Economic*  
 14 *Area Partnership Zones: Provided further, That any funds*  
 15 *under this paragraph initially allocated by the Secretary*  
 16 *for housing projects in the State of Alaska that are not obli-*  
 17 *gated by September 30, 2006, shall be carried over until*  
 18 *September 30, 2007, and made available for such housing*  
 19 *projects only in the State of Alaska.*

20       *For additional costs to conduct a demonstration pro-*  
 21 *gram for the preservation and revitalization of the section*  
 22 *515 multi-family rental housing properties, \$16,500,000, to*  
 23 *remain available until expended: Provided, That funding*  
 24 *made available under this heading shall be used to restruc-*  
 25 *ture existing section 515 loans, as the Secretary deems ap-*



1 *appropriate, expressly for the purposes of ensuring the project*  
 2 *has sufficient resources to preserve the project for the pur-*  
 3 *pose of providing safe and affordable housing for low-in-*  
 4 *come residents including reducing or eliminating interest;*  
 5 *deferring loan payments, subordinating, reducing or re-*  
 6 *amortizing loan debt; and other financial assistance includ-*  
 7 *ing advances and incentives required by the Secretary.*

8 *In addition, for administrative expenses necessary to*  
 9 *carry out the direct and guaranteed loan programs,*  
 10 *\$465,886,000, which shall be transferred to and merged*  
 11 *with the appropriation for “Rural Development, Salaries*  
 12 *and Expenses”.*

13 *RENTAL ASSISTANCE PROGRAM*

14 *For rental assistance agreements entered into or re-*  
 15 *newed pursuant to the authority under section 521(a)(2)*  
 16 *or agreements entered into in lieu of debt forgiveness or*  
 17 *payments for eligible households as authorized by section*  
 18 *502(c)(5)(D) of the Housing Act of 1949, \$653,102,000;*  
 19 *and, in addition, such sums as may be necessary, as author-*  
 20 *ized by section 521(c) of the Act, to liquidate debt incurred*  
 21 *prior to fiscal year 1992 to carry out the rental assistance*  
 22 *program under section 521(a)(2) of the Act: Provided, That*  
 23 *of this amount, no less than \$8,976,000 shall be available*  
 24 *for debt forgiveness or payments for eligible households as*  
 25 *authorized by section 502(c)(5)(D) of the Act, and not to*  
 26 *exceed \$50,000 per project for advances to nonprofit organi-*

1 zations or public agencies to cover direct costs (other than  
 2 purchase price) incurred in purchasing projects pursuant  
 3 to section 502(c)(5)(C) of the Act: Provided further, That  
 4 agreements entered into or renewed during the current fiscal  
 5 year shall be funded for a four-year period: Provided fur-  
 6 ther, That any unexpended balances remaining at the end  
 7 of such four-year agreements may be transferred and used  
 8 for the purposes of any debt reduction; maintenance, repair,  
 9 or rehabilitation of any existing projects; preservation; and  
 10 rental assistance activities authorized under title V of the  
 11 Act: Provided further, That rental assistance that is recov-  
 12 ered from projects that are subject to prepayment shall be  
 13 deobligated and reallocated for vouchers and debt forgive-  
 14 ness or payments consistent with the requirements of this  
 15 Act for purposes authorized under section 542 and section  
 16 502(c)(5)(D) of the Housing Act of 1949, as amended.

#### 17 RURAL HOUSING VOUCHER PROGRAM

18 For the rural housing voucher program as authorized  
 19 under section 542 of the Housing Act of 1949, (without re-  
 20 gard to section 542(b)), \$16,000,000, to remain available  
 21 until expended: Provided, That such vouchers shall be avail-  
 22 able to any low-income household (including those not re-  
 23 ceiving rental assistance) residing in a property financed  
 24 with a section 515 loan which has been prepaid after Sep-  
 25 tember 30, 2005: Provided further, That the amount of the  
 26 voucher shall be the difference between comparable market

1 *rent for the section 515 unit and the tenant paid rent for*  
 2 *such unit: Provided further, That funds made available for*  
 3 *such vouchers, shall be subject to the availability of annual*  
 4 *appropriations: Provided further, That the Secretary shall,*  
 5 *to the maximum extent practicable, administer such vouch-*  
 6 *ers with current regulations and administrative guidance*  
 7 *applicable for section 8 housing vouchers administered by*  
 8 *the Secretary of the Department of Housing and Urban De-*  
 9 *velopment (including the ability to pay administrative*  
 10 *costs related to delivery of the voucher funds).*

11 *MUTUAL AND SELF-HELP HOUSING GRANTS*

12 *For grants and contracts pursuant to section*  
 13 *523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c),*  
 14 *\$34,000,000, to remain available until expended: Provided,*  
 15 *That of the total amount appropriated, \$1,000,000 shall be*  
 16 *available through June 30, 2005, for authorized empower-*  
 17 *ment zones and enterprise communities and communities*  
 18 *designated by the Secretary of Agriculture as Rural Eco-*  
 19 *nomie Area Partnership Zones.*

20 *RURAL HOUSING ASSISTANCE GRANTS*

21 *For grants and contracts for very low-income housing*  
 22 *repair, supervisory and technical assistance, compensation*  
 23 *for construction defects, and rural housing preservation*  
 24 *made by the Rural Housing Service, as authorized by 42*  
 25 *U.S.C. 1474, 1479(c), 1490e, and 1490m, \$43,976,000, to*  
 26 *remain available until expended: Provided, That*

1 \$2,976,000 shall be made available for loans to private non-  
 2 profit organizations, or such non-profit organizations' affil-  
 3 iate loan funds and State and local housing finance agen-  
 4 cies, to carry out a housing demonstration program to pro-  
 5 vide revolving loans for the preservation of low-income  
 6 multi-family housing projects: Provided further, That loans  
 7 under such demonstration program shall have an interest  
 8 rate of not more than 1 percent direct loan to the recipient:  
 9 Provided further, That the Secretary may defer the interest  
 10 and principal payment to the Rural Housing Service for  
 11 up to 3 years and the term of such loans shall not exceed  
 12 30 years: Provided further, That of the total amount appro-  
 13 priated, \$1,200,000 shall be available through June 30,  
 14 2006, for authorized empowerment zones and enterprise  
 15 communities and communities designated by the Secretary  
 16 of Agriculture as Rural Economic Area Partnership Zones.

17 *FARM LABOR PROGRAM ACCOUNT*

18 *For the cost of direct loans, grants, and contracts, as*  
 19 *authorized by 42 U.S.C. 1484 and 1486, \$29,607,000, to*  
 20 *remain available until expended, for direct farm labor hous-*  
 21 *ing loans and domestic farm labor housing grants and con-*  
 22 *tracts.*

1            *RURAL BUSINESS—COOPERATIVE SERVICE*

2            *RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT*

3            *(INCLUDING TRANSFER OF FUNDS)*

4            *For the principal amount of direct loans, as authorized*  
 5 *by the Rural Development Loan Fund (42 U.S.C. 9812(a)),*  
 6 *\$34,212,000.*

7            *For the cost of direct loans, \$14,718,000, as authorized*  
 8 *by the Rural Development Loan Fund (42 U.S.C. 9812(a)),*  
 9 *of which \$1,724,000 shall be available through June 30,*  
 10 *2006, for Federally Recognized Native American Tribes and*  
 11 *of which \$3,449,000 shall be available through June 30,*  
 12 *2006, for Mississippi Delta Region counties (as determined*  
 13 *in accordance with Public Law 100–460): Provided, That*  
 14 *of such amount made available, the Secretary may provide*  
 15 *up to \$1,500,000 for the Delta Regional Authority (7 U.S.C.*  
 16 *1921 et seq.): Provided further, That such costs, including*  
 17 *the cost of modifying such loans, shall be as defined in sec-*  
 18 *tion 502 of the Congressional Budget Act of 1974: Provided*  
 19 *further, That of the total amount appropriated, \$887,000*  
 20 *shall be available through June 30, 2006, for the cost of*  
 21 *direct loans for authorized empowerment zones and enter-*  
 22 *prise communities and communities designated by the Sec-*  
 23 *retary of Agriculture as Rural Economic Area Partnership*  
 24 *Zones.*

25            *In addition, for administrative expenses to carry out*  
 26 *the direct loan programs, \$6,656,000 shall be transferred*

1 *to and merged with the appropriation for “Rural Develop-*  
 2 *ment, Salaries and Expenses”.*

3 *RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM*

4 *ACCOUNT*

5 *(INCLUDING RESCISSION OF FUNDS)*

6 *For the principal amount of direct loans, as authorized*  
 7 *under section 313 of the Rural Electrification Act, for the*  
 8 *purpose of promoting rural economic development and job*  
 9 *creation projects, \$25,003,000.*

10 *For the cost of direct loans, including the cost of modi-*  
 11 *fying loans as defined in section 502 of the Congressional*  
 12 *Budget Act of 1974, \$4,993,000, to remain available until*  
 13 *expended.*

14 *Of the funds derived from interest on the cushion of*  
 15 *credit payments in the current fiscal year, as authorized*  
 16 *by section 313 of the Rural Electrification Act of 1936,*  
 17 *\$4,993,000 shall not be obligated and \$4,993,000 are re-*  
 18 *scinded.*

19 *RURAL COOPERATIVE DEVELOPMENT GRANTS*

20 *For rural cooperative development grants authorized*  
 21 *under section 310B(e) of the Consolidated Farm and Rural*  
 22 *Development Act (7 U.S.C. 1932), \$24,988,000, of which*  
 23 *\$500,000 shall be for a cooperative research agreement with*  
 24 *a qualified academic institution to conduct research on the*  
 25 *national economic impact of all types of cooperatives; and*  
 26 *of which \$2,500,000 shall be for cooperative agreements for*

1 *the appropriate technology transfer for rural areas pro-*  
 2 *gram: Provided, That not to exceed \$1,488,000 shall be for*  
 3 *cooperatives or associations of cooperatives whose primary*  
 4 *focus is to provide assistance to small, minority producers*  
 5 *and whose governing board and/or membership is com-*  
 6 *prised of at least 75 percent minority; and of which*  
 7 *\$15,500,000, to remain available until expended, shall be*  
 8 *for value-added agricultural product market development*  
 9 *grants, as authorized by section 6401 of the Farm Security*  
 10 *and Rural Investment Act of 2002 (7 U.S.C. 1621 note).*

11 *RURAL EMPOWERMENT ZONES AND ENTERPRISE*

12 *COMMUNITY GRANTS*

13 *For grants in connection with second and third rounds*  
 14 *of empowerment zones and enterprise communities,*  
 15 *\$12,400,000, to remain available until expended, for des-*  
 16 *ignated rural empowerment zones and rural enterprise com-*  
 17 *munities, as authorized by the Taxpayer Relief Act of 1997*  
 18 *and the Omnibus Consolidated and Emergency Supple-*  
 19 *mental Appropriations Act, 1999 (Public Law 105–277):*  
 20 *Provided, That of the funds appropriated, \$1,000,000 shall*  
 21 *be made available to third round empowerment zones, as*  
 22 *authorized by the Community Renewal Tax Relief Act*  
 23 *(Public Law 106–554).*

24 *RENEWABLE ENERGY PROGRAM*

25 *For the cost of a program of direct loans, loan guaran-*  
 26 *tees, and grants, under the same terms and conditions as*

1 *authorized by section 9006 of the Farm Security and Rural*  
 2 *Investment Act of 2002 (7 U.S.C. 8106), \$23,000,000 for*  
 3 *direct and guaranteed renewable energy loans and grants:*  
 4 *Provided, That the cost of direct loans and loan guarantees,*  
 5 *including the cost of modifying such loans, shall be as de-*  
 6 *fin ed in section 502 of the Congressional Budget Act of*  
 7 *1974.*

8 *RURAL UTILITIES SERVICE*

9 *RURAL ELECTRIFICATION AND TELECOMMUNICATIONS*

10 *LOANS PROGRAM ACCOUNT*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *Insured loans pursuant to the authority of section 305*  
 13 *of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall*  
 14 *be made as follows: 5 percent rural electrification loans,*  
 15 *\$100,000,000; municipal rate rural electric loans,*  
 16 *\$100,000,000; loans made pursuant to section 306 of that*  
 17 *Act, rural electric, \$2,700,000,000; Treasury rate direct*  
 18 *electric loans, \$1,000,000,000; guaranteed underwriting*  
 19 *loans pursuant to section 313A, \$1,500,000,000; 5 percent*  
 20 *rural telecommunications loans, \$145,000,000; cost of*  
 21 *money rural telecommunications loans, \$425,000,000; and*  
 22 *for loans made pursuant to section 306 of that Act, rural*  
 23 *telecommunications loans, \$125,000,000.*

24 *For the cost, as defined in section 502 of the Congres-*  
 25 *sional Budget Act of 1974, including the cost of modifying*  
 26 *loans, of direct and guaranteed loans authorized by sections*



1 305 and 306 of the Rural Electrification Act of 1936 (7  
 2 U.S.C. 935 and 936), as follows: cost of rural electric loans,  
 3 \$6,160,000, and the cost of telecommunications loans,  
 4 \$212,000: Provided, That notwithstanding section  
 5 305(d)(2) of the Rural Electrification Act of 1936, borrower  
 6 interest rates may exceed 7 percent per year.

7 In addition, for administrative expenses necessary to  
 8 carry out the direct and guaranteed loan programs,  
 9 \$39,933,000 which shall be transferred to and merged with  
 10 the appropriation for “Rural Development, Salaries and  
 11 Expenses”.

12 RURAL TELEPHONE BANK PROGRAM ACCOUNT  
 13 (INCLUDING TRANSFER OF FUNDS)

14 The Rural Telephone Bank is hereby authorized to  
 15 make such expenditures, within the limits of funds available  
 16 to such corporation in accord with law, and to make such  
 17 contracts and commitments without regard to fiscal year  
 18 limitations as provided by section 104 of the Government  
 19 Corporation Control Act, as may be necessary in carrying  
 20 out its authorized programs.

21 For administrative expenses, including audits, nec-  
 22 essary to continue to service existing loans, \$2,500,000,  
 23 which shall be transferred to and merged with the appro-  
 24 priation for “Rural Development, Salaries and Expenses”.

1     *DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND*  
 2                                     *PROGRAM*

3         *For the principal amount of broadband telecommuni-*  
 4     *cation loans, \$550,000,000.*

5         *For grants for telemedicine and distance learning serv-*  
 6     *ices in rural areas, as authorized by 7 U.S.C. 950aaa et*  
 7     *seq., \$35,000,000, to remain available until expended: Pro-*  
 8     *vided, That \$10,000,000 shall be made available to convert*  
 9     *analog to digital operation those noncommercial edu-*  
 10    *cational television broadcast stations that serve rural areas*  
 11    *and are qualified for Community Service Grants by the*  
 12    *Corporation for Public Broadcasting under section 396(k)*  
 13    *of the Communications Act of 1934, including associated*  
 14    *translators and repeaters, regardless of the location of their*  
 15    *main transmitter, studio-to-transmitter links, and equip-*  
 16    *ment to allow local control over digital content and pro-*  
 17    *gramming through the use of high-definition broadcast,*  
 18    *multi-casting and datacasting technologies.*

19         *For the cost of broadband loans, as authorized by 7*  
 20     *U.S.C. 901 et seq., \$11,825,000, to remain available until*  
 21     *September 30, 2007: Provided, That the interest rate for*  
 22     *such loans shall be the cost of borrowing to the Department*  
 23     *of the Treasury for obligations of comparable maturity:*  
 24     *Provided further, That the cost of direct loans shall be as*

1 *defined in section 502 of the Congressional Budget Act of*  
 2 *1974.*

3 *In addition, \$10,000,000, to remain available until ex-*  
 4 *pendent, for a grant program to finance broadband trans-*  
 5 *mission in rural areas eligible for Distance Learning and*  
 6 *Telemedicine Program benefits authorized by 7 U.S.C.*  
 7 *950aaa.*

## 8 *TITLE IV*

### 9 *DOMESTIC FOOD PROGRAMS*

#### 10 *OFFICE OF THE UNDER SECRETARY FOR FOOD,*

#### 11 *NUTRITION AND CONSUMER SERVICES*

12 *For necessary salaries and expenses of the Office of the*  
 13 *Under Secretary for Food, Nutrition and Consumer Serv-*  
 14 *ices to administer the laws enacted by the Congress for the*  
 15 *Food and Nutrition Service, \$599,000.*

#### 16 *FOOD AND NUTRITION SERVICE*

#### 17 *CHILD NUTRITION PROGRAMS*

#### 18 *(INCLUDING TRANSFERS OF FUNDS)*

19 *For necessary expenses to carry out the National*  
 20 *School Lunch Act (42 U.S.C. 1751 et seq.), except section*  
 21 *21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771*  
 22 *et seq.), except sections 17 and 21; \$12,422,027,000, to re-*  
 23 *main available through September 30, 2007, of which*  
 24 *\$7,234,406,000 is hereby appropriated and \$5,187,621,000*  
 25 *shall be derived by transfer from funds available under sec-*  
 26 *tion 32 of the Act of August 24, 1935 (7 U.S.C. 612c): Pro-*

1 vided, That none of the funds made available under this  
 2 heading shall be used for studies and evaluations: Provided  
 3 further, That up to \$5,235,000 shall be available for inde-  
 4 pendent verification of school food service claims: Provided  
 5 further, That not less than \$20,025,000 shall be available  
 6 to implement and administer Team Nutrition programs of  
 7 the Department of Agriculture.

8        *SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR*  
 9                *WOMEN, INFANTS, AND CHILDREN (WIC)*

10        *For necessary expenses to carry out the special supple-*  
 11 *mental nutrition program as authorized by section 17 of*  
 12 *the Child Nutrition Act of 1966 (42 U.S.C. 1786),*  
 13 *\$5,257,000,000, to remain available through September 30,*  
 14 *2007, of which such sums as are necessary to restore the*  
 15 *contingency reserve to \$125,000,000 shall be placed in re-*  
 16 *serve, to remain available until expended, to be allocated*  
 17 *as the Secretary deems necessary, notwithstanding section*  
 18 *17(i) of such Act, to support participation should cost or*  
 19 *participation exceed budget estimates: Provided, That of the*  
 20 *total amount available, the Secretary shall obligate not less*  
 21 *than \$15,000,000 for a breastfeeding support initiative in*  
 22 *addition to the activities specified in section 17(h)(3)(A):*  
 23 *Provided further, That only the provisions of section*  
 24 *17(h)(10)(B)(i) and section 17(h)(10)(B)(ii) shall be effec-*  
 25 *tive in 2006; including \$14,000,000 for the purposes speci-*  
 26 *fied in section 17(h)(10)(B)(i) and \$20,000,000 for the pur-*

1 *poses specified in section 17(h)(10)(B)(ii): Provided further,*  
 2 *That none of the funds made available under this heading*  
 3 *shall be used for studies and evaluations: Provided further,*  
 4 *That none of the funds in this Act shall be available to pay*  
 5 *administrative expenses of WIC clinics except those that*  
 6 *have an announced policy of prohibiting smoking within*  
 7 *the space used to carry out the program: Provided further,*  
 8 *That none of the funds provided in this account shall be*  
 9 *available for the purchase of infant formula except in ac-*  
 10 *cordance with the cost containment and competitive bidding*  
 11 *requirements specified in section 17 of such Act: Provided*  
 12 *further, That none of the funds provided shall be available*  
 13 *for activities that are not fully reimbursed by other Federal*  
 14 *Government departments or agencies unless authorized by*  
 15 *section 17 of such Act.*

16 *FOOD STAMP PROGRAM*

17 *For necessary expenses to carry out the Food Stamp*  
 18 *Act (7 U.S.C. 2011 et seq.), \$40,711,395,000, of which*  
 19 *\$3,000,000,000 to remain available through September 30,*  
 20 *2007, shall be placed in reserve for use only in such*  
 21 *amounts and at such times as may become necessary to*  
 22 *carry out program operations: Provided, That none of the*  
 23 *funds made available under this heading shall be used for*  
 24 *studies and evaluations: Provided further, That of the funds*  
 25 *made available under this heading and not already appro-*  
 26 *priated to the Food Distribution Program on Indian Res-*

1 *ervations (FDPIR) established under section 4(b) of the*  
 2 *Food Stamp Act of 1977 (7 U.S.C. 2013(b)), not to exceed*  
 3 *\$4,000,000 shall be used to purchase bison meat for the*  
 4 *FDPIR from Native American bison producers as well as*  
 5 *from producer-owned cooperatives of bison ranchers: Pro-*  
 6 *vided further, That funds provided herein shall be expended*  
 7 *in accordance with section 16 of the Food Stamp Act: Pro-*  
 8 *vided further, That this appropriation shall be subject to*  
 9 *any work registration or workfare requirements as may be*  
 10 *required by law: Provided further, That funds made avail-*  
 11 *able for Employment and Training under this heading*  
 12 *shall remain available until expended, as authorized by sec-*  
 13 *tion 16(h)(1) of the Food Stamp Act: Provided further, That*  
 14 *notwithstanding section 5(d) of the Food Stamp Act of*  
 15 *1977, any additional payment received under chapter 5 of*  
 16 *title 37, United States Code, by a member of the United*  
 17 *States Armed Forces deployed to a designated combat zone*  
 18 *shall be excluded from household income for the duration*  
 19 *of the member's deployment if the additional pay is the re-*  
 20 *sult of deployment to or while serving in a combat zone,*  
 21 *and it was not received immediately prior to serving in*  
 22 *the combat zone.*

23 **COMMODITY ASSISTANCE PROGRAM**

24 *For necessary expenses to carry out disaster assistance*  
 25 *and the Commodity Supplemental Food Program as au-*  
 26 *thorized by section 4(a) of the Agriculture and Consumer*

1 *Protection Act of 1973 (7 U.S.C. 612c note); The Emergency*  
 2 *Food Assistance Act of 1983; special assistance (in a form*  
 3 *determined by the Secretary of Agriculture) for the nuclear*  
 4 *affected islands, as authorized by section 103(f)(2) of the*  
 5 *Compact of Free Association Amendments Act of 2003*  
 6 *(Public Law 108–188); and the Farmers’ Market Nutrition*  
 7 *Program, as authorized by section 17(m) of the Child Nutri-*  
 8 *tion Act of 1966, \$179,935,000, to remain available through*  
 9 *September 30, 2007: Provided, That none of these funds*  
 10 *shall be available to reimburse the Commodity Credit Cor-*  
 11 *poration for commodities donated to the program: Provided*  
 12 *further, That notwithstanding any other provision of law,*  
 13 *effective with funds made available in fiscal year 2006 to*  
 14 *support the Senior Farmers’ Market Nutrition Program, as*  
 15 *authorized by section 4402 of Public Law 107–171, such*  
 16 *funds shall remain available through September 30, 2007:*  
 17 *Provided further, That of the funds made available under*  
 18 *section 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011*  
 19 *et seq.), the Secretary may use up to \$10,000,000 for costs*  
 20 *associated with the distribution of commodities.*

21 *NUTRITION PROGRAMS ADMINISTRATION*

22 *For necessary administrative expenses of the domestic*  
 23 *nutrition assistance programs funded under this Act,*  
 24 *\$140,761,000, of which \$5,000,000 shall be available only*  
 25 *for simplifying procedures, reducing overhead costs, tight-*  
 26 *ening regulations, improving food stamp benefit delivery,*

1 *and assisting in the prevention, identification, and prosecu-*  
 2 *tion of fraud and other violations of law.*

3 *TITLE V*

4 *FOREIGN ASSISTANCE AND RELATED PROGRAMS*

5 *FOREIGN AGRICULTURAL SERVICE*

6 *SALARIES AND EXPENSES*

7 *(INCLUDING TRANSFERS OF FUNDS)*

8 *For necessary expenses of the Foreign Agricultural*  
 9 *Service, including carrying out title VI of the Agricultural*  
 10 *Act of 1954 (7 U.S.C. 1761–1768), market development ac-*  
 11 *tivities abroad, and for enabling the Secretary to coordinate*  
 12 *and integrate activities of the Department in connection*  
 13 *with foreign agricultural work, including not to exceed*  
 14 *\$158,000 for representation allowances and for expenses*  
 15 *pursuant to section 8 of the Act approved August 3, 1956*  
 16 *(7 U.S.C. 1766), \$147,868,000: Provided, That the Service*  
 17 *may utilize advances of funds, or reimburse this appropria-*  
 18 *tion for expenditures made on behalf of Federal agencies,*  
 19 *public and private organizations and institutions under*  
 20 *agreements executed pursuant to the agricultural food pro-*  
 21 *duction assistance programs (7 U.S.C. 1737) and the for-*  
 22 *foreign assistance programs of the United States Agency for*  
 23 *International Development.*



1     *PUBLIC LAW 480 TITLE I DIRECT CREDIT AND FOOD FOR*  
 2                     *PROGRESS PROGRAM ACCOUNT*  
 3                     *(INCLUDING TRANSFERS OF FUNDS)*

4             *For the cost, as defined in section 502 of the Congres-*  
 5     *sional Budget Act of 1974, of agreements under the Agricul-*  
 6     *tural Trade Development and Assistance Act of 1954, and*  
 7     *the Food for Progress Act of 1985, including the cost of*  
 8     *modifying credit arrangements under said Acts,*  
 9     *\$65,040,000, to remain available until expended: Provided,*  
 10    *That the Secretary of Agriculture may implement a com-*  
 11    *modity monetization program under existing provisions of*  
 12    *the Food for Progress Act of 1985 to provide no less than*  
 13    *\$5,000,000 in local-currency funding support for rural elec-*  
 14    *trification development overseas.*

15            *In addition, for administrative expenses to carry out*  
 16    *the credit program of title I, Public Law 83–480, and the*  
 17    *Food for Progress Act of 1985, to the extent funds appro-*  
 18    *priated for Public Law 83–480 are utilized, \$3,385,000, of*  
 19    *which \$168,000 may be transferred to and merged with the*  
 20    *appropriation for “Foreign Agricultural Service, Salaries*  
 21    *and Expenses”, and of which \$3,217,000 may be transferred*  
 22    *to and merged with the appropriation for “Farm Service*  
 23    *Agency, Salaries and Expenses”.*

15 PUBLIC LAW 480 TITLE II GRANTS

22 COMMODITY CREDIT CORPORATION EXPORT LOANS

23 *PROGRAM ACCOUNT*  
24 *(INCLUDING TRANSFERS OF FUNDS)*

† HR 2744 EAS

1 *GSM 102 and GSM 103, \$5,279,000; to cover common over-*  
 2 *head expenses as permitted by section 11 of the Commodity*  
 3 *Credit Corporation Charter Act and in conformity with the*  
 4 *Federal Credit Reform Act of 1990, of which \$3,440,000*  
 5 *may be transferred to and merged with the appropriation*  
 6 *for “Foreign Agricultural Service, Salaries and Expenses”,*  
 7 *and of which \$1,839,000 may be transferred to and merged*  
 8 *with the appropriation for “Farm Service Agency, Salaries*  
 9 *and Expenses”.*

10 *MC GOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION*

11 *AND CHILD NUTRITION PROGRAM GRANTS*

12 *For necessary expenses to carry out the provisions of*  
 13 *section 3107 of the Farm Security and Rural Investment*  
 14 *Act of 2002 (7 U.S.C. 1736o–1), \$100,000,000, to remain*  
 15 *available until expended: Provided, That the Commodity*  
 16 *Credit Corporation is authorized to provide the services, fa-*  
 17 *cilities, and authorities for the purpose of implementing*  
 18 *such section, subject to reimbursement from amounts pro-*  
 19 *vided herein.*

1 *TITLE VI*  
2 *RELATED AGENCIES AND FOOD AND DRUG*  
3 *ADMINISTRATION*  
4 *DEPARTMENT OF HEALTH AND HUMAN*  
5 *SERVICES*  
6 *FOOD AND DRUG ADMINISTRATION*  
7 *SALARIES AND EXPENSES*  
8 *For necessary expenses of the Food and Drug Adminis-*  
9 *tration, including hire and purchase of passenger motor ve-*  
10 *hicles; for payment of space rental and related costs pursu-*  
11 *ant to Public Law 92–313 for programs and activities of*  
12 *the Food and Drug Administration which are included in*  
13 *this Act; for rental of special purpose space in the District*  
14 *of Columbia or elsewhere; for miscellaneous and emergency*  
15 *expenses of enforcement activities, authorized and approved*  
16 *by the Secretary and to be accounted for solely on the Sec-*  
17 *retary’s certificate, not to exceed \$25,000; and notwith-*  
18 *standing section 521 of Public Law 107–188;*  
19 *\$1,841,959,000: Provided, That of the amount provided*  
20 *under this heading, \$305,332,000 shall be derived from pre-*  
21 *scription drug user fees authorized by 21 U.S.C. 379h, shall*  
22 *be credited to this account and remain available until ex-*  
23 *pende, and shall not include any fees pursuant to 21*  
24 *U.S.C. 379h(a)(2) and (a)(3) assessed for fiscal year 2007*  
25 *but collected in fiscal year 2006; \$40,300,000 shall be de-*

1 rived from medical device user fees authorized by 21 U.S.C.  
 2 379j, and shall be credited to this account and remain  
 3 available until expended; and \$11,318,000 shall be derived  
 4 from animal drug user fees authorized by 21 U.S.C. 379j,  
 5 and shall be credited to this account and remain available  
 6 until expended: Provided further, That fees derived from  
 7 prescription drug, medical device, and animal drug assess-  
 8 ments received during fiscal year 2006, including any such  
 9 fees assessed prior to the current fiscal year but credited  
 10 during the current year, shall be subject to the fiscal year  
 11 2006 limitation: Provided further, That none of these funds  
 12 shall be used to develop, establish, or operate any program  
 13 of user fees authorized by 31 U.S.C. 9701: Provided further,  
 14 That of the total amount appropriated: (1) \$450,179,000  
 15 shall be for the Center for Food Safety and Applied Nutri-  
 16 tion and related field activities in the Office of Regulatory  
 17 Affairs; (2) \$515,430,000 shall be for the Center for Drug  
 18 Evaluation and Research and related field activities in the  
 19 Office of Regulatory Affairs; (3) \$178,714,000 shall be for  
 20 the Center for Biologics Evaluation and Research and for  
 21 related field activities in the Office of Regulatory Affairs;  
 22 (4) \$99,787,000 shall be for the Center for Veterinary Medi-  
 23 cine and for related field activities in the Office of Regu-  
 24 latory Affairs; (5) \$245,770,000 shall be for the Center for  
 25 Devices and Radiological Health and for related field ac-

1 *tivities in the Office of Regulatory Affairs; (6) \$41,152,000*  
 2 *shall be for the National Center for Toxicological Research;*  
 3 *(7) \$58,515,000 shall be for Rent and Related activities,*  
 4 *other than the amounts paid to the General Services Ad-*  
 5 *ministration for rent; (8) \$134,853,000 shall be for pay-*  
 6 *ments to the General Services Administration for rent; and*  
 7 *(9) \$117,559,000 shall be for other activities, including the*  
 8 *Office of the Commissioner; the Office of Management; the*  
 9 *Office of External Relations; the Office of Policy and Plan-*  
 10 *ning; and central services for these offices: Provided further,*  
 11 *That funds may be transferred from one specified activity*  
 12 *to another with the prior approval of the Committees on*  
 13 *Appropriations of both Houses of Congress.*

14 *In addition, mammography user fees authorized by 42*  
 15 *U.S.C. 263b may be credited to this account, to remain*  
 16 *available until expended.*

17 *In addition, export certification user fees authorized*  
 18 *by 21 U.S.C. 381 may be credited to this account, to remain*  
 19 *available until expended.*

## 20 *BUILDINGS AND FACILITIES*

21 *For plans, construction, repair, improvement, exten-*  
 22 *sion, alteration, and purchase of fixed equipment or facili-*  
 23 *ties of or used by the Food and Drug Administration, where*  
 24 *not otherwise provided, \$7,000,000, to remain available*  
 25 *until expended.*

1 *INDEPENDENT AGENCIES*2 *COMMODITY FUTURES TRADING COMMISSION*

3 *For necessary expenses to carry out the provisions of*  
4 *the Commodity Exchange Act (7 U.S.C. 1 et seq.), including*  
5 *the purchase and hire of passenger motor vehicles, and the*  
6 *rental of space (to include multiple year leases) in the Dis-*  
7 *trict of Columbia and elsewhere, \$98,386,000, including not*  
8 *to exceed \$3,000 for official reception and representation*  
9 *expenses.*

10 *FARM CREDIT ADMINISTRATION*11 *LIMITATION ON ADMINISTRATIVE EXPENSES*

12 *Not to exceed \$44,250,000 (from assessments collected*  
13 *from farm credit institutions and from the Federal Agricul-*  
14 *tural Mortgage Corporation) shall be obligated during the*  
15 *current fiscal year for administrative expenses as author-*  
16 *ized under 12 U.S.C. 2249: Provided, That this limitation*  
17 *shall not apply to expenses associated with receiverships:*  
18 *Provided further, That up to an additional 5 percent of*  
19 *the amount of this limitation may be expended for expenses*  
20 *associated with unforeseen termination applications, upon*  
21 *a finding of extraordinary circumstances by the Federal*  
22 *Credit Administration Board.*

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*TITLE VII*

*GENERAL PROVISIONS*

*SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 320 passenger motor vehicles, of which 320 shall be for replacement only, and for the hire of such vehicles.*

*SEC. 702. Hereafter, funds appropriated by this or any other Act to the Department of Agriculture (excluding the Forest Service) shall be available for uniforms or allowances as authorized by law (5 U.S.C. 5901–5902).*

*SEC. 703. Hereafter, funds appropriated by this or any other Act to the Department of Agriculture (excluding the Forest Service) shall be available for employment pursuant to the second sentence of section 706(a) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2225) and 5 U.S.C. 3109.*

*SEC. 704. New obligational authority provided for the following appropriation items in this Act shall remain available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, information technology infrastructure, fruit fly program, emerging plant pests, boll weevil program, low patho-*



1 *gen avian influenza program, up to \$32,932,000 in animal*  
 2 *health monitoring and surveillance for the animal identi-*  
 3 *fication system, up to \$2,993,000 in the emergency manage-*  
 4 *ment systems program for the vaccine bank, up to*  
 5 *\$1,000,000 for wildlife services methods development, up to*  
 6 *\$1,000,000 of the wildlife services operations program for*  
 7 *aviation safety, and up to 25 percent of the screwworm pro-*  
 8 *gram; Food Safety and Inspection Service, field automation*  
 9 *and information management project; Cooperative State*  
 10 *Research, Education, and Extension Service, funds for com-*  
 11 *petitive research grants (7 U.S.C. 450i(b)), funds for the*  
 12 *Research, Education, and Economics Information System,*  
 13 *and funds for the Native American Institutions Endowment*  
 14 *Fund; Farm Service Agency, salaries and expenses funds*  
 15 *made available to county committees; Foreign Agricultural*  
 16 *Service, middle-income country training program, and up*  
 17 *to \$2,000,000 of the Foreign Agricultural Service appro-*  
 18 *priation solely for the purpose of offsetting fluctuations in*  
 19 *international currency exchange rates, subject to docu-*  
 20 *mentation by the Foreign Agricultural Service.*

21 *SEC. 705. Hereafter, the Secretary of Agriculture may*  
 22 *transfer unobligated balances of discretionary funds appro-*  
 23 *priated by this or any other Act or other available unobli-*  
 24 *gated discretionary balances of the Department of Agri-*  
 25 *culture to the Working Capital Fund for the acquisition of*

1 *plant and capital equipment necessary for the delivery of*  
 2 *financial, administrative, and information technology serv-*  
 3 *ices of primary benefit to the agencies of the Department*  
 4 *of Agriculture: Provided, That none of the funds made*  
 5 *available by this Act or any other Act shall be transferred*  
 6 *to the Working Capital Fund without the prior approval*  
 7 *of the agency administrator: Provided further, That none*  
 8 *of the funds transferred to the Working Capital Fund pur-*  
 9 *suant to this section shall be available for obligation with-*  
 10 *out the prior approval of the Committees on Appropriations*  
 11 *of both Houses of Congress.*

12       *SEC. 706. No part of any appropriation contained in*  
 13 *this Act shall remain available for obligation beyond the*  
 14 *current fiscal year unless expressly so provided herein.*

15       *SEC. 707. Hereafter, not to exceed \$50,000 of the funds*  
 16 *appropriated by this or any other Act to the Department*  
 17 *of Agriculture (excluding the Forest Service) shall be avail-*  
 18 *able to provide appropriate orientation and language train-*  
 19 *ing pursuant to section 606C of the Act of August 28, 1954*  
 20 *(7 U.S.C. 1766b).*

21       *SEC. 708. No funds appropriated by this Act may be*  
 22 *used to pay negotiated indirect cost rates on cooperative*  
 23 *agreements or similar arrangements between the United*  
 24 *States Department of Agriculture and nonprofit institu-*  
 25 *tions in excess of 10 percent of the total direct cost of the*

1 agreement when the purpose of such cooperative arrange-  
2 ments is to carry out programs of mutual interest between  
3 the two parties. This does not preclude appropriate pay-  
4 ment of indirect costs on grants and contracts with such  
5 institutions when such indirect costs are computed on a  
6 similar basis for all agencies for which appropriations are  
7 provided in this Act.

8       *SEC. 709. None of the funds in this Act shall be avail-*  
9 *able to pay indirect costs charged against competitive agri-*  
10 *cultural research, education, or extension grant awards*  
11 *issued by the Cooperative State Research, Education, and*  
12 *Extension Service that exceed 20 percent of total Federal*  
13 *funds provided under each award: Provided, That notwith-*  
14 *standing section 1462 of the National Agricultural Re-*  
15 *search, Extension, and Teaching Policy Act of 1977 (7*  
16 *U.S.C. 3310), funds provided by this Act for grants award-*  
17 *ed competitively by the Cooperative State Research, Edu-*  
18 *cation, and Extension Service shall be available to pay full*  
19 *allowable indirect costs for each grant awarded under sec-*  
20 *tion 9 of the Small Business Act (15 U.S.C. 638).*

21       *SEC. 710. Hereafter, loan levels provided in this or any*  
22 *other Act to the Department of Agriculture shall be consid-*  
23 *ered estimates, not limitations.*

24       *SEC. 711. Appropriations to the Department of Agri-*  
25 *culture for the cost of direct and guaranteed loans made*

1 *available in the current fiscal year shall remain available*  
2 *until expended to cover obligations made in the current fis-*  
3 *cal year for the following accounts: the Rural Development*  
4 *Loan Fund program account, the Rural Telephone Bank*  
5 *program account, the Rural Electrification and Tele-*  
6 *communication Loans program account, and the Rural*  
7 *Housing Insurance Fund program account.*

8       *SEC. 712. Of the funds made available by this Act, not*  
9 *more than \$1,800,000 shall be used to cover necessary ex-*  
10 *penses of activities related to all advisory committees, pan-*  
11 *els, commissions, and task forces of the Department of Agri-*  
12 *culture, except for panels used to comply with negotiated*  
13 *rule makings and panels used to evaluate competitively*  
14 *awarded grants.*

15       *SEC. 713. None of the funds appropriated by this Act*  
16 *may be used to carry out section 410 of the Federal Meat*  
17 *Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry*  
18 *Products Inspection Act (21 U.S.C. 471).*

19       *SEC. 714. No employee of the Department of Agri-*  
20 *culture may be detailed or assigned from an agency or office*  
21 *funded by this Act to any other agency or office of the De-*  
22 *partment for more than 30 days unless the individual's em-*  
23 *ploying agency or office is fully reimbursed by the receiving*  
24 *agency or office for the salary and expenses of the employee*  
25 *for the period of assignment.*

1       *SEC. 715. None of the funds appropriated or otherwise*  
2 *made available to the Department of Agriculture shall be*  
3 *used to transmit or otherwise make available to any non-*  
4 *Department of Agriculture employee questions or responses*  
5 *to questions that are a result of information requested for*  
6 *the appropriations hearing process.*

7       *SEC. 716. None of the funds made available to the De-*  
8 *partment of Agriculture by this Act may be used to acquire*  
9 *new information technology systems or significant up-*  
10 *grades, as determined by the Office of the Chief Information*  
11 *Officer, without the approval of the Chief Information Offi-*  
12 *cer and the concurrence of the Executive Information Tech-*  
13 *nology Investment Review Board: Provided, That notwith-*  
14 *standing any other provision of law, none of the funds ap-*  
15 *propriated or otherwise made available by this Act may be*  
16 *transferred to the Office of the Chief Information Officer*  
17 *without the prior approval of the Committees on Appro-*  
18 *priations of both Houses of Congress: Provided further, That*  
19 *none of the funds available to the Department of Agriculture*  
20 *for information technology shall be obligated for projects*  
21 *over \$25,000 prior to receipt of written approval by the*  
22 *Chief Information Officer.*

23       *SEC. 717. (a) Hereafter, none of the funds appro-*  
24 *priated by this or any other Act to the agencies funded by*  
25 *this Act, or provided from accounts in the Treasury of the*

1 *United States derived by the collection of fees available to*  
 2 *the agencies funded by this Act, shall be available for obliga-*  
 3 *tion or expenditure through a reprogramming of funds*  
 4 *which: (1) creates new programs; (2) eliminates a program,*  
 5 *project, or activity; (3) increases funds or personnel by any*  
 6 *means for any project or activity for which funds have been*  
 7 *denied or restricted; (4) relocates an office or employees; (5)*  
 8 *reorganizes offices, programs, or activities; or (6) contracts*  
 9 *out or privatizes any functions or activities presently per-*  
 10 *formed by Federal employees; unless the Committees on Ap-*  
 11 *propriations of both Houses of Congress are notified 15 days*  
 12 *in advance of such reprogramming of funds.*

13       (b) *Hereafter, none of the funds appropriated by this*  
 14 *or any other Act to the agencies funded by this Act, or pro-*  
 15 *vided from accounts in the Treasury of the United States*  
 16 *derived by the collection of fees available to the agencies*  
 17 *funded by this Act, shall be available for obligation or ex-*  
 18 *penditure for activities, programs, or projects through a re-*  
 19 *programming of funds in excess of \$500,000 or 10 percent,*  
 20 *whichever is less, that: (1) augments existing programs,*  
 21 *projects, or activities; (2) reduces by 10 percent funding for*  
 22 *any existing program, project, or activity, or numbers of*  
 23 *personnel by 10 percent as approved by Congress; or (3)*  
 24 *results from any general savings from a reduction in per-*  
 25 *sonnel which would result in a change in existing programs,*

1 activities, or projects as approved by Congress; unless the  
 2 Committees on Appropriations of both Houses of Congress  
 3 are notified 15 days in advance of such reprogramming of  
 4 funds.

5 (c) Hereafter, the Secretary of Agriculture, the Sec-  
 6 retary of Health and Human Services, or the Chairman  
 7 of the Commodity Futures Trading Commission shall notify  
 8 the Committees on Appropriations of both Houses of Con-  
 9 gress before implementing a program or activity not carried  
 10 out during the previous fiscal year unless the program or  
 11 activity is funded by this Act or specifically funded by any  
 12 other Act.

13 SEC. 718. With the exception of funds needed to ad-  
 14 minister and conduct oversight of grants awarded and obli-  
 15 gations incurred in prior fiscal years, none of the funds  
 16 appropriated or otherwise made available by this or any  
 17 other Act may be used to pay the salaries and expenses of  
 18 personnel to carry out the provisions of section 401 of Pub-  
 19 lic Law 105–185, the Initiative for Future Agriculture and  
 20 Food Systems (7 U.S.C. 7621).

21 SEC. 719. None of the funds appropriated by this or  
 22 any other Act shall be used to pay the salaries and expenses  
 23 of personnel who prepare or submit appropriations lan-  
 24 guage as part of the President’s Budget submission to the  
 25 Congress of the United States for programs under the juris-

1 *diction of the Appropriations Subcommittees on Agri-*  
 2 *culture, Rural Development, Food and Drug Administra-*  
 3 *tion, and Related Agencies that assumes revenues or reflects*  
 4 *a reduction from the previous year due to user fees pro-*  
 5 *posals that have not been enacted into law prior to the sub-*  
 6 *mission of the Budget unless such Budget submission identi-*  
 7 *fies which additional spending reductions should occur in*  
 8 *the event the user fees proposals are not enacted prior to*  
 9 *the date of the convening of a committee of conference for*  
 10 *the fiscal year 2006 appropriations Act.*

11       *SEC. 720. None of the funds made available by this*  
 12 *or any other Act may be used to close or relocate a State*  
 13 *Rural Development office unless or until cost effectiveness*  
 14 *and enhancement of program delivery have been deter-*  
 15 *mined.*

16       *SEC. 721. In addition to amounts otherwise appro-*  
 17 *priated or made available by this Act, \$2,500,000 is appro-*  
 18 *priated for the purpose of providing Bill Emerson and*  
 19 *Mickey Leland Hunger Fellowships, through the Congres-*  
 20 *sional Hunger Center.*

21       *SEC. 722. Hereafter, notwithstanding section 412 of*  
 22 *the Agricultural Trade Development and Assistance Act of*  
 23 *1954 (7 U.S.C. 1736f), any balances available to carry out*  
 24 *title III of such Act as of the date of enactment of this Act,*  
 25 *and any recoveries and reimbursements that become avail-*



1 *able to carry out title III of such Act, may be used to carry*  
 2 *out title II of such Act.*

3 *SEC. 723. Section 375(e)(6)(B) of the Consolidated*  
 4 *Farm and Rural Development Act (7 U.S.C.*  
 5 *2008j(e)(6)(B)) is amended by striking “\$27,998,000” and*  
 6 *inserting “\$29,998,000”.*

7 *SEC. 724. Notwithstanding any other provision of law,*  
 8 *and until receipt of the decennial Census in the year 2010,*  
 9 *the Secretary of Agriculture shall consider the City of Butte/*  
 10 *Silverbow, Montana, Cleburne County, Arkansas, and the*  
 11 *designated Census tract areas for the Upper Kanawha Val-*  
 12 *ley Enterprise Community, rural areas for purposes of eli-*  
 13 *gibility for rural development programs.*

14 *SEC. 725. Notwithstanding any other provision of law,*  
 15 *the Natural Resources Conservation Service may provide fi-*  
 16 *nancial and technical assistance through the Watershed and*  
 17 *Flood Prevention Operations program for the Matanuska*  
 18 *River erosion control project in Alaska, Little Otter Creek*  
 19 *project in Missouri, the Manoa Watershed project in Ha-*  
 20 *waii, the West Tarkio project in Iowa, the Steeple Run and*  
 21 *West Branch DuPage River Watershed projects in DuPage*  
 22 *County, Illinois, and the Coal Creek project in Utah.*

23 *SEC. 726. Hereafter, none of the funds made available*  
 24 *in this Act may be transferred to any department, agency,*  
 25 *or instrumentality of the United States Government, except*

1 *pursuant to a transfer made by, or transfer authority pro-*  
2 *vided in, this or any other appropriation Act.*

3       *SEC. 727. Notwithstanding any other provision of law,*  
4 *of the funds made available in this Act for competitive re-*  
5 *search grants (7 U.S.C. 450i(b)), the Secretary may use up*  
6 *to 20 percent of the amount provided to carry out a com-*  
7 *petitive grants program under the same terms and condi-*  
8 *tions as those provided in section 401 of the Agricultural*  
9 *Research, Extension, and Education Reform Act of 1998*  
10 *(7 U.S.C. 7621).*

11       *SEC. 728. None of the funds appropriated or made*  
12 *available by this or any other Act may be used to pay the*  
13 *salaries and expenses of personnel to carry out section*  
14 *14(h)(1) of the Watershed Protection and Flood Prevention*  
15 *Act (16 U.S.C. 1012(h)(1)).*

16       *SEC. 729. None of the funds made available to the Food*  
17 *and Drug Administration by this Act shall be used to close*  
18 *or relocate, or to plan to close or relocate, the Food and*  
19 *Drug Administration Division of Pharmaceutical Analysis*  
20 *in St. Louis, Missouri, outside the city or county limits*  
21 *of St. Louis, Missouri.*

22       *SEC. 730. None of the funds appropriated or made*  
23 *available by this or any other Act may be used to pay the*  
24 *salaries and expenses of personnel to carry out subtitle I*

1 *of the Consolidated Farm and Rural Development Act (7*  
 2 *U.S.C. 2009dd through dd-7).*

3       *SEC. 731. Hereafter, agencies and offices of the Depart-*  
 4 *ment of Agriculture may utilize any unobligated salaries*  
 5 *and expenses funds to reimburse the Office of the General*  
 6 *Counsel for salaries and expenses of personnel, and for other*  
 7 *related expenses, incurred in representing such agencies and*  
 8 *offices in the resolution of complaints by employees or ap-*  
 9 *plicants for employment, and in cases and other matters*  
 10 *pending before the Equal Employment Opportunity Com-*  
 11 *mission, the Federal Labor Relations Authority, or the*  
 12 *Merit Systems Protection Board with the prior approval*  
 13 *of the Committees on Appropriations of both Houses of Con-*  
 14 *gress.*

15       *SEC. 732. None of the funds appropriated or made*  
 16 *available by this or any other Act may be used to pay the*  
 17 *salaries and expenses of personnel to carry out section 6405*  
 18 *of Public Law 107-171 (7 U.S.C. 2655).*

19       *SEC. 733. Hereafter, the Agricultural Marketing Serv-*  
 20 *ice and the Grain Inspection, Packers and Stockyards Ad-*  
 21 *ministration, that have statutory authority to purchase in-*  
 22 *terest bearing investments outside of the Treasury, are not*  
 23 *required to establish obligations and outlays for those in-*  
 24 *vestments, provided those investments are insured by the*  
 25 *Federal Deposit Insurance Corporation or are collateralized*

1 *at the Federal Reserve with securities approved by the Fed-*  
 2 *eral Reserve, operating under the guidelines of the United*  
 3 *States Department of the Treasury.*

4 *SEC. 734. None of the funds appropriated or otherwise*  
 5 *made available by this or any other Act shall be used to*  
 6 *pay the salaries and expenses of personnel to enroll in excess*  
 7 *of 150,000 acres in the calendar year 2006 wetlands reserve*  
 8 *program as authorized by 16 U.S.C. 3837.*

9 *SEC. 735. None of the funds appropriated or otherwise*  
 10 *made available by this or any other Act shall be used to*  
 11 *pay the salaries and expenses of personnel who carry out*  
 12 *an environmental quality incentives program authorized by*  
 13 *chapter 4 of subtitle D of title XII of the Food Security*  
 14 *Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of*  
 15 *\$1,017,000,000.*

16 *SEC. 736. None of the funds appropriated or otherwise*  
 17 *made available by this or any other Act shall be used to*  
 18 *pay the salaries and expenses of personnel to expend the*  
 19 *\$23,000,000 made available by section 9006(f) of the Farm*  
 20 *Security and Rural Investment Act of 2002 (7 U.S.C.*  
 21 *8106(f)).*

22 *SEC. 737. With the exception of funds provided in fis-*  
 23 *cal year 2003, none of the funds appropriated or otherwise*  
 24 *made available by this or any other Act shall be used to*  
 25 *pay the salaries and expenses of personnel to expend the*

1 \$50,000,000 made available by section 601(j)(1)(A) of the  
 2 Rural Electrification Act of 1936 (7 U.S.C. 950bb(j)(1)(A)).

3 SEC. 738. None of the funds made available in fiscal  
 4 year 2006 or preceding fiscal years for programs authorized  
 5 under the Agricultural Trade Development and Assistance  
 6 Act of 1954 (7 U.S.C. 1691 et seq.) in excess of \$20,000,000  
 7 shall be used to reimburse the Commodity Credit Corpora-  
 8 tion for the release of eligible commodities under section  
 9 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act  
 10 (7 U.S.C. 1736f-1): Provided, That any such funds made  
 11 available to reimburse the Commodity Credit Corporation  
 12 shall only be used pursuant to section 302(b)(2)(B)(i) of  
 13 the Bill Emerson Humanitarian Trust Act.

14 SEC. 739. None of the funds appropriated or otherwise  
 15 made available by this or any other Act shall be used to  
 16 pay the salaries and expenses of personnel to expend the  
 17 \$120,000,000 made available by section 6401(a) of Public  
 18 Law 107-171.

19 SEC. 740. Notwithstanding subsections (c) and (e)(2)  
 20 of section 313A of the Rural Electrification Act (7 U.S.C.  
 21 940c(c) and (e)(2)) in implementing section 313A of that  
 22 Act, the Secretary shall, with the consent of the lender,  
 23 structure the schedule for payment of the annual fee, not  
 24 to exceed an average of 30 basis points per year for the  
 25 term of the loan, to ensure that sufficient funds are avail-

1 *able to pay the subsidy costs for note guarantees under that*  
2 *section.*

3 *SEC. 741. None of the funds appropriated or otherwise*  
4 *made available by this or any other Act shall be used to*  
5 *pay the salaries and expenses of personnel to carry out sec-*  
6 *tion 2502 of Public Law 107–171 in excess of \$47,000,000.*

7 *SEC. 742. Of the unobligated balances available in the*  
8 *Special Supplemental Nutrition Program for Women, In-*  
9 *fants, and Children reserve account, \$32,000,000 is hereby*  
10 *rescinded.*

11 *SEC. 743. Not more than \$10,000,000 for fiscal year*  
12 *2006 of the funds appropriated or otherwise made available*  
13 *by this or any other Act shall be used to carry out section*  
14 *6029 of Public Law 107–171.*

15 *SEC. 744. None of the funds appropriated or otherwise*  
16 *made available by this or any other Act shall be used to*  
17 *pay the salaries and expenses of personnel to carry out a*  
18 *ground and surface water conservation program authorized*  
19 *by section 2301 of Public Law 107–171 in excess of*  
20 *\$51,000,000.*

21 *SEC. 745. None of the funds made available by this*  
22 *Act may be used to issue a final rule in furtherance of,*  
23 *or otherwise implement, the proposed rule on cost-sharing*  
24 *for animal and plant health emergency programs of the*

1 *Animal and Plant Health Inspection Service published on*  
 2 *July 8, 2003 (Docket No. 02–062–1; 68 Fed. Reg. 40541).*

3       *SEC. 746. None of the funds made available in this*  
 4 *Act may be used to study, complete a study of, or enter*  
 5 *into a contract with a private party to carry out, without*  
 6 *specific authorization in a subsequent Act of Congress, a*  
 7 *competitive sourcing activity of the Secretary of Agri-*  
 8 *culture, including support personnel of the Department of*  
 9 *Agriculture, relating to rural development or farm loan*  
 10 *programs or for reimbursement of administrative costs*  
 11 *under section 16(a) of the Food Stamp Act of 1977 (7*  
 12 *U.S.C. 2025(a)) to a State agency for which more than 10*  
 13 *percent of the costs (other than costs for issuance of benefits*  
 14 *or nutrition education) are obtained under contract.*

15       *SEC. 747. Hereafter, notwithstanding any other provi-*  
 16 *sion of law, the Secretary of Agriculture may use appro-*  
 17 *priations available to the Secretary for activities authorized*  
 18 *under sections 426–426c of title 7, United States Code,*  
 19 *under this or any other Act, to enter into cooperative agree-*  
 20 *ments, with a State, political subdivision, or agency thereof,*  
 21 *a public or private agency, organization, or any other per-*  
 22 *son, to lease aircraft if the Secretary determines that the*  
 23 *objectives of the agreement will: (1) serve a mutual interest*  
 24 *of the parties to the agreement in carrying out the programs*  
 25 *administered by the Animal and Plant Health Inspection*

1 *Service, Wildlife Services; and (2) all parties will con-*  
2 *tribute resources to the accomplishment of these objectives;*  
3 *award of a cooperative agreement authorized by the Sec-*  
4 *retary may be made for an initial term not to exceed 5*  
5 *years.*

6       *SEC. 748. None of the funds appropriated or otherwise*  
7 *made available by this or any other Act shall be used to*  
8 *pay the salaries and expenses of personnel to carry out sec-*  
9 *tion 9010 of Public Law 107–171 in excess of \$60,000,000.*

10       *SEC. 749. Hereafter, agencies and offices of the Depart-*  
11 *ment of Agriculture may utilize any available discretionary*  
12 *funds to cover the costs of preparing, or contracting for the*  
13 *preparation of, final agency decisions regarding complaints*  
14 *of discrimination in employment or program activities*  
15 *arising within such agencies and offices.*

16       *SEC. 750. Funds made available under section 1240I*  
17 *and section 1241(a) of the Food Security Act of 1985 in*  
18 *the current fiscal year shall remain available until ex-*  
19 *pended to cover obligations made in the current fiscal year,*  
20 *and are not available for new obligations.*

21       *SEC. 751. There is hereby appropriated \$1,500,000, to*  
22 *remain available until expended, for the Denali Commis-*  
23 *sion to address deficiencies in solid waste disposal sites*  
24 *which threaten to contaminate rural drinking water sup-*  
25 *plies.*



1       *SEC. 752. Notwithstanding any other provision of*  
2 *law—*

3               *(1)(A) the Alaska Department of Community*  
4 *and Economic Development shall be eligible to receive*  
5 *a water and waste disposal grant under section*  
6 *306(a) of the Consolidated Farm and Rural Develop-*  
7 *ment Act (7 U.S.C. 1926(a)) in an amount that is*  
8 *equal to not more than 75 percent of the total cost of*  
9 *providing water and sewer service to the proposed*  
10 *hospital in the Matanuska-Susitna Borough, Alaska;*  
11 *and*

12               *(B) the Alaska Department of Community and*  
13 *Economic Development shall be allowed to pass the*  
14 *grant funds through to the local government entity*  
15 *that will provide water and sewer service to the hos-*  
16 *pital;*

17               *(2) or any percentage of cost limitation in cur-*  
18 *rent law or regulations, the construction projects*  
19 *known as the Tri-Valley Community Center addition*  
20 *in Healy, Alaska; the Cold Climate Housing Research*  
21 *Center in Fairbanks, Alaska; and the University of*  
22 *Alaska-Fairbanks Allied Health Learning Center skill*  
23 *labs/classrooms shall be eligible to receive Community*  
24 *Facilities grants in amounts that are equal to not*  
25 *more than 75 percent of the total facility costs: Pro-*

1        *vided, That for the purposes of this paragraph, the*  
 2        *Cold Climate Housing Research Center is designated*  
 3        *an “essential community facility” for rural Alaska;*

4            *(3) for any fiscal year and hereafter, in the case*  
 5        *of a high cost isolated rural area in Alaska that is*  
 6        *not connected to a road system, the maximum level*  
 7        *for the single family housing assistance shall be 150*  
 8        *percent of the median household income level in the*  
 9        *nonmetropolitan areas of the State and 115 percent*  
 10       *of all other eligible areas of the State;*

11           *(4)(A) the Natural Resources Conservation Serv-*  
 12        *ice shall provide financial and technical assistance*  
 13        *through the Watershed and Flood Prevention Oper-*  
 14        *ations program to carry out the East Locust Creek*  
 15        *Watershed Plan Revision in Missouri; and*

16           *(B) the Natural Resources Conservation Service*  
 17        *is authorized to provide 100 percent of the engineer-*  
 18        *ing assistance and 75 percent cost share for construc-*  
 19        *tion cost of the project; and*

20           *(5) any former RUS borrower that has repaid or*  
 21        *prepaid an insured, direct or guaranteed loan under*  
 22        *the Rural Electrification Act, or any not-for-profit*  
 23        *utility that is eligible to receive an insured or direct*  
 24        *loan under such Act, shall be eligible for assistance*

1        *under Section 313(b)(2)(B) of such Act in the same*  
2        *manner as a borrower under such Act.*

3        *SEC. 753. Hereafter, notwithstanding the provisions of*  
4        *the Consolidated Farm and Rural Development Act (in-*  
5        *cluding the associated regulations) governing the Commu-*  
6        *nity Facilities Program, the Secretary may allow all Com-*  
7        *munity Facility Program facility borrowers and grantees*  
8        *to enter into contracts with not-for-profit third parties for*  
9        *services consistent with the requirements of the Program,*  
10       *grant, and/or loan: Provided, That the contracts protect the*  
11       *interests of the Government regarding cost, liability, main-*  
12       *tenance, and administrative fees.*

13       *SEC. 754. Hereafter, notwithstanding any other provi-*  
14       *sion of law, the Secretary of Agriculture is authorized to*  
15       *make funding and other assistance available through the*  
16       *emergency watershed protection program under section 403*  
17       *of the Agricultural Credit Act of 1978 (16 U.S.C. 2203) to*  
18       *repair and prevent damage to non-Federal land in water-*  
19       *sheds that have been impaired by fires initiated by the Fed-*  
20       *eral Government and shall waive cost sharing requirements*  
21       *for the funding and assistance.*

22       *SEC. 755. None of the funds provided in this Act may*  
23       *be used for salaries and expenses to carry out any regula-*  
24       *tion or rule insofar as it would make ineligible for enroll-*  
25       *ment in the conservation reserve program established under*

1 *subchapter B of chapter 1 of subtitle D of title XII of the*  
 2 *Food Security Act of 1985 (16 U.S.C. 3831 et seq.) land*  
 3 *that is planted to hardwood trees as of the date of enactment*  
 4 *of this Act and was enrolled in the conservation reserve pro-*  
 5 *gram under a contract that expired prior to calendar year*  
 6 *2002.*

7       *SEC. 756. None of the funds made available under this*  
 8 *Act shall be available to pay the administrative expenses*  
 9 *of a State agency that, after the date of enactment of this*  
 10 *Act, authorizes any new for-profit vendor(s) to transact food*  
 11 *instruments under the Special Supplemental Nutrition*  
 12 *Program for Women, Infants, and Children if it is expected*  
 13 *that more than 50 percent of the annual revenue of the ven-*  
 14 *dor from the sale of food items will be derived from the sale*  
 15 *of supplemental foods that are obtained with WIC food in-*  
 16 *struments, except that the Secretary may approve the au-*  
 17 *thorization of such a vendor if the approval is necessary*  
 18 *to assure participant access to program benefits.*

19       *SEC. 757. The Secretary of Agriculture may use any*  
 20 *unobligated carryover funds made available for any pro-*  
 21 *gram administered by the Rural Utilities Service (not in-*  
 22 *cluding funds made available under the heading “Rural*  
 23 *Community Advancement Program” in any Act of appro-*  
 24 *priation) to carry out section 315 of the Rural Electrifica-*  
 25 *tion Act of 1936 (7 U.S.C. 940e).*

1       *SEC. 758. There is hereby appropriated \$1,000,000, to*  
2       *remain available until expended, to carry out provisions*  
3       *of section 751 of division A of Public Law 108–7.*

4       *SEC. 759. There is hereby appropriated \$500,000 for*  
5       *a grant to Alaska Village Initiatives for the purpose of ad-*  
6       *ministering a private lands wildlife management program*  
7       *in Alaska.*

8       *SEC. 760. There is hereby appropriated \$2,250,000, to*  
9       *remain available until expended, for a grant to the Wis-*  
10       *consin Federation of Cooperatives for pilot Wisconsin-Min-*  
11       *nesota health care cooperative purchasing alliances.*

12       *SEC. 761. Hereafter, notwithstanding any other provi-*  
13       *sion of law, effective with funds made available in fiscal*  
14       *year 2004 to States administering the Child and Adult Care*  
15       *Food Program, for the purpose of conducting audits of par-*  
16       *ticipating institutions, funds identified by the Secretary as*  
17       *having been unused during the initial fiscal year of avail-*  
18       *ability may be recovered and reallocated by the Secretary:*  
19       *Provided, That States may use the reallocated funds until*  
20       *expended for the purpose of conducting audits of partici-*  
21       *pating institutions.*

22       *SEC. 762. The Secretary of Agriculture is authorized*  
23       *and directed to quitclaim to the City of Elkhart, Kansas,*  
24       *all rights, title and interests of the United States in that*  
25       *tract of land comprising 151.7 acres, more or less, located*

1 *in Morton County, Kansas, and more specifically described*  
 2 *in a deed dated March 11, 1958, from the United States*  
 3 *of America to the City of Elkhart, State of Kansas, and*  
 4 *filed of record April 4, 1958 at Book 34 at Page 520 in*  
 5 *the office of the Register of Deeds of Morton County, Kansas.*

6       *SEC. 763. There is hereby appropriated \$5,000,000 to*  
 7 *carry out the Healthy Forests Reserve Program authorized*  
 8 *under Title V of Public Law 108–148 (16 U.S.C. 6571–*  
 9 *6578).*

10       *SEC. 764. None of the funds provided in this Act may*  
 11 *be used for salaries and expenses to draft or implement any*  
 12 *regulation or rule insofar as it would require recertification*  
 13 *of rural status for each electric and telecommunications bor-*  
 14 *rower for the Rural Electrification and Telecommunication*  
 15 *Loans program.*

16       *SEC. 765. None of the funds appropriated or otherwise*  
 17 *made available by this or any other Act shall be used to*  
 18 *pay the salaries and expenses of personnel to carry out a*  
 19 *Biomass Research and Development Program in excess of*  
 20 *\$12,000,000, as authorized by Public Law 106–224 (7*  
 21 *U.S.C. 7624 note).*

22       *SEC. 766. The Rural Electrification Act of 1936 is*  
 23 *amended by inserting after section 315 (7 U.S.C. 940e) the*  
 24 *following:*

1       “*SEC. 316. EXTENSION OF PERIOD OF EXISTING*  
 2   *GUARANTEE.*

3       “(a) *IN GENERAL.*—*Subject to the limitations in this*  
 4   *section and the provisions of the Federal Credit Reform Act*  
 5   *of 1990, as amended, a borrower of a loan made by the*  
 6   *Federal Financing Bank and guaranteed under this Act*  
 7   *may request an extension of the final maturity of the out-*  
 8   *standing principal balance of such loan or any loan ad-*  
 9   *vance thereunder. If the Secretary and the Federal Financ-*  
 10   *ing Bank approve such an extension, then the period of the*  
 11   *existing guarantee shall also be considered extended.*

12       “(b) *LIMITATIONS.*—

13               “(1) *FEASIBILITY AND SECURITY.*—*Extensions*  
 14   *under this section shall not be made unless the Sec-*  
 15   *retary first finds and certifies that, after giving effect*  
 16   *to the extension, in his judgment the security for all*  
 17   *loans to the borrower made or guaranteed under this*  
 18   *Act is reasonably adequate and that all such loans*  
 19   *will be repaid within the time agreed.*

20               “(2) *EXTENSION OF USEFUL LIFE OR COLLAT-*  
 21   *ERAL.*—*Extensions under this section shall not be*  
 22   *granted unless the borrower first submits with its re-*  
 23   *quest either—*

24                       “(A) *evidence satisfactory to the Secretary*  
 25                       *that a Federal or State agency with jurisdiction*

1        *and expertise has made an official determina-*  
 2        *tion, such as through a licensing proceeding, ex-*  
 3        *tending the useful life of a generating plant or*  
 4        *transmission line pledged as collateral to or be-*  
 5        *yond the new final maturity date being requested*  
 6        *by the borrower, or*

7                *“(B) a certificate from an independent li-*  
 8                *censed engineer concluding, on the basis of a*  
 9                *thorough engineering analysis satisfactory to the*  
 10               *Secretary, that the useful life of the generating*  
 11               *plant or transmission line pledged as collateral*  
 12               *extends to or beyond the new final maturity date*  
 13               *being requested by the borrower.*

14               *“(3) AMOUNT ELIGIBLE FOR EXTENSION.—Ex-*  
 15               *tensions under this section shall not be granted if the*  
 16               *principal balance extended exceeds the appraised*  
 17               *value of the generating plant or transmission line re-*  
 18               *ferred to in subsection paragraph (2).*

19               *“(4) PERIOD OF EXTENSION.—Extensions under*  
 20               *this section shall in no case result in a final maturity*  
 21               *greater than 55 years from the time of original dis-*  
 22               *bursement and shall in no case result in a final ma-*  
 23               *turity greater than the useful life of the plant.*



1           “(5) *NUMBER OF EXTENSIONS.*—*Extensions*  
 2           *under this section shall not be granted more than once*  
 3           *per loan advance.*

4           “(c) *FEEES.*—

5           “(1) *IN GENERAL.*—*A borrower that receives an*  
 6           *extension under this section shall pay a fee to the Sec-*  
 7           *retary which shall be credited to the Rural Elec-*  
 8           *trification and Telecommunications Loans Program*  
 9           *account. Such fees shall remain available without fis-*  
 10           *cal year limitation to pay the modification costs for*  
 11           *extensions.*

12           “(2) *AMOUNT.*—*The amount of the fee paid shall*  
 13           *be equal to the modification cost, calculated in ac-*  
 14           *cordance with section 502 of the Federal Credit Re-*  
 15           *form Act of 1990, as amended, of such extension.*

16           “(3) *PAYMENT.*—*The borrower shall pay the fee*  
 17           *required under this section at the time the existing*  
 18           *guarantee is extended by making a payment in the*  
 19           *amount of the required fee.”.*

20           *SEC. 767. Notwithstanding any other provision of law,*  
 21           *none of the funds provided for in this or any other Act may*  
 22           *be used in this and each fiscal year hereafter for the review,*  
 23           *clearance, or approval for sale in the United States of any*  
 24           *contact lens unless the manufacturer certifies that it makes*  
 25           *any contact lens it produces, markets, distributes, or sells*

1 *available in a commercially reasonable and non-discrimi-*  
 2 *natory manner directly to and generally within all alter-*  
 3 *native channels of distribution: Provided, That for the pur-*  
 4 *poses of this section, the term ‘manufacturer’ includes the*  
 5 *manufacturer and its parents, subsidiaries, affiliates, suc-*  
 6 *cessors and assigns, and ‘alternative channels of distribu-*  
 7 *tion’ means any mail order company, Internet retailer,*  
 8 *pharmacy, buying club, department store, mass merchan-*  
 9 *dise outlet or other appropriate distribution alternative*  
 10 *without regard to whether it is associated with a prescriber:*  
 11 *Provided further, That nothing in this section shall be inter-*  
 12 *preted as waiving any obligation of a seller under 15 U.S.C.*  
 13 *7603: Provided further, That to facilitate compliance with*  
 14 *this section, 15 U.S.C. 7605 is amended by inserting after*  
 15 *the period: “A manufacturer shall make any contact lens*  
 16 *it produces, markets, distributes or sells available in a com-*  
 17 *mercially reasonable and non-discriminatory manner di-*  
 18 *rectly to and generally within all alternative channels of*  
 19 *distribution; provided that, for the purposes of this section,*  
 20 *the term ‘alternative channels of distribution’ means any*  
 21 *mail order company, Internet retailer, pharmacy, buying*  
 22 *club, department store, mass merchandise outlet or other*  
 23 *appropriate distribution alternative without regard to*  
 24 *whether it is associated with a prescriber; the term ‘manu-*  
 25 *facturer’ includes the manufacturer and its parents, sub-*

1 *sidiaries, affiliates, successors and assigns; and any rule*  
 2 *prescribed under this section shall take effect not later than*  
 3 *60 days after the date of enactment.”*

4       *SEC. 768. (a) IN GENERAL.—Hereafter, the Secretary*  
 5 *of Health and Human Services, on behalf of the United*  
 6 *States may, whenever the Secretary deems desirable, relin-*  
 7 *quish to the State of Arkansas all or part of the jurisdiction*  
 8 *of the United States over the lands and properties encom-*  
 9 *passing the Jefferson Labs campus in the State of Arkansas*  
 10 *that are under the supervision or control of the Secretary.*

11       *(b) TERMS.—Relinquishment of jurisdiction under*  
 12 *this section may be accomplished, under terms and condi-*  
 13 *tions that the Secretary deems advisable,*

14               *(1) by filing with the Governor of the State of*  
 15 *Arkansas a notice of relinquishment to take effect*  
 16 *upon acceptance thereof; or*

17               *(2) as the laws of such State may otherwise pro-*  
 18 *vide.*

19       *(c) DEFINITION.—In this section, the term “Jefferson*  
 20 *Labs campus” means the lands and properties of the Na-*  
 21 *tional Center for Toxicological Research and the Arkansas*  
 22 *Regional Laboratory.*

23       *SEC. 769. Section 204(b)(3)(A) of the Child Nutrition*  
 24 *and WIC Reauthorization Act of 2004 (118 Stat. 781; 42*

1 *U.S.C. 1751 note) is amended by striking “July 1, 2006”*  
 2 *and inserting “October 1, 2005”.*

3 *SEC. 770. (a) Section 18(f)(1)(B) of the Richard B.*  
 4 *Russell National School Lunch Act (42 U.S.C.*  
 5 *1769(f)(1)(B)) is amended—*

6 *(1) by striking “April 2004” and inserting*  
 7 *“June 2005”; and*

8 *(2) in clause (ii), by striking “66.67” and insert-*  
 9 *ing “75”.*

10 *(b) The amendments made by subsection (a) take effect*  
 11 *on January 1, 2006.*

12 *SEC. 771. There is hereby appropriated \$1,250,000 to*  
 13 *the National Agricultural Imagery Program to acquire one*  
 14 *meter natural color digital ortho-imagery of the entire state*  
 15 *of Utah.*

16 *SEC. 772. Notwithstanding any other provision of law,*  
 17 *for eligibility to participate in the Environmental Quality*  
 18 *Incentives Program (EQIP), a producer is deemed to have*  
 19 *an interest in a farming or ranching operation whether the*  
 20 *source of income for that operation is derived from crops*  
 21 *or livestock owned by that producer, or owned by another*  
 22 *and raised by that producer.*

23 *SEC. 773. None of the funds in this Act may be used*  
 24 *to retire more than 5 percent of the Class A stock of the*  
 25 *Rural Telephone Bank, except in the event of liquidation*

1 *or dissolution of the telephone bank during fiscal year 2006,*  
 2 *pursuant to section 411 of the Rural Electrification Act of*  
 3 *1936, as amended, or to maintain any account or sub-*  
 4 *account within the accounting records of the Rural Tele-*  
 5 *phone Bank the creation of which has not specifically been*  
 6 *authorized by statute: Provided, That notwithstanding any*  
 7 *other provision of law, none of the funds appropriated or*  
 8 *otherwise made available in this Act may be used to trans-*  
 9 *fer to the Treasury or to the Federal Financing Bank any*  
 10 *unobligated balance of the Rural Telephone Bank telephone*  
 11 *liquidating account which is in excess of current require-*  
 12 *ments and such balance shall receive interest as set forth*  
 13 *for financial accounts in section 505(c) of the Federal Cred-*  
 14 *it Reform Act of 1990.*

15       *SEC. 774. There is hereby appropriated \$2,000,000 to*  
 16 *carry out Section 120 of Public Law 108–265 in Utah and*  
 17 *Wisconsin.*

18       *SEC. 775. There is hereby appropriated \$700,000 to*  
 19 *provide administrative support for a world food hunger or-*  
 20 *ganization: Provided, That none of the funds may be used*  
 21 *for a monetary award to an individual.*

22       *SEC. 776. Notwithstanding any other provision of law,*  
 23 *the Secretary of Agriculture may consider the Municipality*  
 24 *of Carolina, Puerto Rico, as meeting the eligibility require-*

1 *ments for loans and grants programs in the Rural Develop-*  
 2 *ment mission area.*

3 *SEC. 777. It is the sense of the Senate that the United*  
 4 *States Government should not permit the importation into*  
 5 *the United States of beef from Japan until the Government*  
 6 *of Japan takes appropriate actions to permit the importa-*  
 7 *tion into Japan of beef from the United States.*

8 *SEC. 778. None of the funds made available under this*  
 9 *Act shall be used by the Secretary of Agriculture for the*  
 10 *purpose of developing a final rule relating to the proposed*  
 11 *rule entitled “Importation of Whole Cuts of Boneless Beef*  
 12 *from Japan”, dated August 18, 2005 (70 Fed. Reg. 48494),*  
 13 *to allow the importation of beef from Japan, unless the*  
 14 *President certifies to Congress that Japan has granted open*  
 15 *access to Japanese markets for beef and beef products pro-*  
 16 *duced in the United States.*

17 *SEC. 779. (a) Section 8c(5) of the Agricultural Adjust-*  
 18 *ment Act (7 U.S.C. 608c(5)), reenacted with amendments*  
 19 *by the Agricultural Marketing Agreement Act of 1937, is*  
 20 *amended by adding at the end the following:*

21 *“(M) MINIMUM MILK PRICES FOR HAN-*  
 22 *DLERS.—*

23 *“(i) APPLICATION OF MINIMUM PRICE*  
 24 *REQUIREMENTS.—Notwithstanding any*  
 25 *other provision of this section, a milk han-*

1 *handler described in clause (ii) shall be subject*  
 2 *to all of the minimum and uniform price*  
 3 *requirements of a Federal milk marketing*  
 4 *order issued pursuant to this section appli-*  
 5 *cable to the county in which the plant of the*  
 6 *handler is located, at Federal order class*  
 7 *prices, if the handler has packaged fluid*  
 8 *milk product route dispositions, or sales of*  
 9 *packaged fluid milk products to other*  
 10 *plants, in a marketing area located in a*  
 11 *State that requires handlers to pay min-*  
 12 *imum prices for raw milk purchases.*

13 *“(ii) COVERED MILK HANDLERS.—Ex-*  
 14 *cept as provided in clause (iv), clause (i)*  
 15 *applies to a handler of Class I milk prod-*  
 16 *ucts (including a producer-handler or pro-*  
 17 *ducer operating as a handler) that—*

18 *“(I) operates a plant that is lo-*  
 19 *cated within the boundaries of a Fed-*  
 20 *eral order milk marketing area (as*  
 21 *those boundaries are in effect on the*  
 22 *date of enactment of this subpara-*  
 23 *graph);*

24 *“(II) has packaged fluid milk*  
 25 *product route dispositions, or sales of*

1           *packaged fluid milk products to other*  
 2           *plants, in a milk marketing area lo-*  
 3           *cated in a State that requires handlers*  
 4           *to pay minimum prices for raw milk*  
 5           *purchases; and*

6                   “(III) *is not otherwise obligated*  
 7           *by a Federal milk marketing order, or*  
 8           *a regulated milk pricing plan operated*  
 9           *by a State, to pay minimum class*  
 10          *prices for the raw milk that is used for*  
 11          *the milk dispositions or sales.*

12                   “(iii) *OBLIGATION TO PAY MINIMUM*  
 13          *CLASS PRICES.—For the purpose of clause*  
 14          *(ii)(III), the Secretary may not consider a*  
 15          *handler of Class I milk products to be obli-*  
 16          *gated by a Federal milk marketing order to*  
 17          *pay minimum class prices for raw milk un-*  
 18          *less the handler operates the plant as a fully*  
 19          *regulated fluid milk distributing plant*  
 20          *under a Federal milk marketing order.*

21                   “(iv) *CERTAIN HANDLERS EXEMPT-*  
 22          *ED.—Clause (i) does not apply to—*

23                   “(I) *a handler (otherwise de-*  
 24           *scribed in clause (ii)) that operates a*  
 25           *nonpool plant (as defined in section*



1           1000.8(e) of title 7, Code of Federal  
2           Regulations (as in effect on the date of  
3           enactment of this subparagraph));

4           “(II) a producer-handler (other-  
5           wise described in clause (ii)) for any  
6           month during which the producer-han-  
7           dler has route dispositions, and sales to  
8           other plants, of packaged fluid milk  
9           products equaling less than 3,000,000  
10          pounds of milk; or

11          “(III) a handler (otherwise de-  
12          scribed in clause (ii)) for any month  
13          during which—

14               “(aa) less than 25 percent of  
15               the total quantity of fluid milk  
16               products physically received at the  
17               plant of the handler (excluding  
18               concentrated milk received from  
19               another plant by agreement for  
20               other than Class I use) is disposed  
21               of as route disposition or is trans-  
22               ferred in the form of packaged  
23               fluid milk products to other  
24               plants; or

1                   “(bb) less than 25 percent in  
 2                   aggregate of the route disposition  
 3                   or transfers are in a marketing  
 4                   area or areas located in 1 or more  
 5                   States that require handlers to  
 6                   pay minimum prices for raw milk  
 7                   purchases.

8                   “(N) *EXEMPTION FOR CERTAIN MILK HAN-*  
 9                   *DLERS.*—Notwithstanding any other provision of  
 10                  this section, no handler with distribution of  
 11                  Class I milk products in the Arizona-Las Vegas  
 12                  marketing area (Order No. 131) shall be exempt  
 13                  during any month from any minimum milk  
 14                  price requirement established by the Secretary  
 15                  under this subsection if the total distribution of  
 16                  Class I products during the preceding month of  
 17                  any such handler’s own farm production that ex-  
 18                  ceeds 3,000,000 pounds.”.

19               (b) Section 8c(11) of the Agricultural Adjustment Act  
 20               (7 U.S.C. 608c(11)), reenacted with amendments by the Ag-  
 21               ricultural Marketing Agreement Act of 1937, is amended—

22                   (1) in subparagraph (C), by striking the last  
 23                   sentence; and

24                   (2) by adding at the end the following:

1                   “(D) *EXCLUSION OF NEVADA FROM FED-*  
 2                   *ERAL MILK MARKETING ORDERS.—In the case of*  
 3                   *milk and its products, no county or other polit-*  
 4                   *ical subdivision located in the State of Nevada*  
 5                   *shall be within a marketing area covered by any*  
 6                   *order issued under this section.”.*

7           (c) *Notwithstanding any other provision of this section*  
 8           *or the amendments made by this section, a milk handler*  
 9           *(including a producer-handler or producer operating as a*  
 10           *handler) that is subject to regulation under this section or*  
 11           *an amendment made by this section shall comply with any*  
 12           *requirement under section 1000.27 of title 7, Code of Fed-*  
 13           *eral Regulations (or a successor regulation) relating to re-*  
 14           *sponsibility of handlers for records or facilities.*

15           (d)(1) *This section and the amendments made by this*  
 16           *section take effect on the first day of the first month begin-*  
 17           *ning more than 15 days after the date of enactment of this*  
 18           *Act.*

19           (2) *To accomplish the expedited implementation sched-*  
 20           *ule for the amendment made by subsection (a), effective on*  
 21           *the date of enactment of this Act, the Secretary of Agri-*  
 22           *culture shall ensure that the pool distributing plant provi-*  
 23           *sions of each Federal milk marketing order issued under*  
 24           *section 8c(5)(B) of the Agricultural Adjustment Act (7*  
 25           *U.S.C. 608c(5)(B)), reenacted with amendments by the Ag-*

1 *gricultural Marketing Agreement of 1937, provides that a*  
 2 *handler described in section 8c(5)(M) of the Agricultural*  
 3 *Adjustment Act, reenacted with amendments by the Agricul-*  
 4 *tural Marketing Agreement of 1937 (as added by subsection*  
 5 *(a))), will be fully regulated by the order in which the dis-*  
 6 *tributing plant of the handler is located.*

7       (3) *Implementation of this section and the amend-*  
 8 *ments made by this section shall not be subject to a ref-*  
 9 *erendum under section 8c(19) of the Agricultural Adjust-*  
 10 *ment Act (7 U.S.C. 608c(19)), reenacted with amendments*  
 11 *by the Agricultural Marketing Agreement Act of 1937.*

12       SEC. 780. (a) *Subject to subsection (b), none of the*  
 13 *funds made available in this Act may be used to—*

14               (1) *grant a waiver of a financial conflict of in-*  
 15 *terest requirement pursuant to section 505(n)(4) of*  
 16 *the Federal Food, Drug, and Cosmetic Act (21 U.S.C.*  
 17 *355(n)(4)) for any voting member of an advisory*  
 18 *committee or panel of the Food and Drug Adminis-*  
 19 *tration; or*

20               (2) *make a certification under section 208(b)(3)*  
 21 *of title 18, United States Code, for any such voting*  
 22 *member.*

23       (b) *Subsection (a) shall not apply to a waiver or cer-*  
 24 *tification if—*

1           (1) *not later than 15 days prior to a meeting of*  
2           *an advisory committee or panel to which such waiver*  
3           *or certification applies, the Secretary of Health and*  
4           *Human Services discloses on the Internet website of*  
5           *the Food and Drug Administration—*

6                     *(A) the nature of the conflict of interest at*  
7                     *issue; and*

8                     *(B) the nature and basis of such waiver or*  
9                     *certification (other than information exempted*  
10                    *from disclosure under section 552 of title 5,*  
11                    *United States Code (popularly known as the*  
12                    *Freedom of Information Act)); or*

13           (2) *in the case of a conflict of interest that be-*  
14           *comes known to the Secretary less than 15 days prior*  
15           *to a meeting to which such waiver or certification ap-*  
16           *plies, the Secretary shall make such public disclosure*  
17           *as soon as possible thereafter, but in no event later*  
18           *than the date of such meeting.*

19           (c) *None of the funds made available in this Act may*  
20           *be used to make a new appointment to an advisory com-*  
21           *mittee or panel of the Food and Drug Administration un-*  
22           *less the Commissioner of Food and Drugs submits a con-*  
23           *fidential report to the Inspector General of the Department*  
24           *of Health and Human Services of the efforts made to iden-*

1 *tify qualified persons for such appointment with minimal*  
 2 *or no potential conflicts of interest.*

3 *SEC. 781. (a) Hereafter, none of the funds made avail-*  
 4 *able by this Act or any other Act may be used to publish,*  
 5 *disseminate, or distribute Agriculture Information Bulletin*  
 6 *Number 787.*

7 *(b) Of the funds provided to the Economic Research*  
 8 *Service, the Secretary of Agriculture shall enter into an*  
 9 *agreement with the National Academy of Sciences to con-*  
 10 *duct a comprehensive report on the economic development*  
 11 *and current status of the sheep industry in the United*  
 12 *States.*

13 *SEC. 782. The Secretary of Agriculture may establish*  
 14 *a demonstration intermediate relending program for the*  
 15 *construction and rehabilitation of housing for the Mis-*  
 16 *sissippi Band of Choctaw Indians: Provided, That the in-*  
 17 *terest rate for direct loans shall be 1 percent: Provided fur-*  
 18 *ther, That no later than one year after the establishment*  
 19 *of this program the Secretary shall provide the Committees*  
 20 *on Appropriations with a report providing information on*  
 21 *the program structure, management, and general demo-*  
 22 *graphic information on the loan recipients.*

23 *SEC. 783. None of the funds made available by this*  
 24 *Act may be used to provide funding to a research facility*  
 25 *that purchases animals from a dealer that holds a Class*

1 *B license under the Animal Welfare Act (7 U.S.C. 2131 et*  
 2 *seq.).*

3       *SEC. 784. None of the funds made available by this*  
 4 *Act may be used to approve for human consumption under*  
 5 *the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) any*  
 6 *cattle, sheep, swine, or goats, or horses, mules, or other*  
 7 *equines that are unable to stand or walk unassisted at a*  
 8 *slaughtering, packing, meat-canning, rendering, or similar*  
 9 *establishment subject to inspection at the point of examina-*  
 10 *tion and inspection under section 3(a) of that Act (21*  
 11 *U.S.C. 603(a)).*

12       *SEC. 785. None of the funds made available by this*  
 13 *or any other Act may be used to close or relocate a county*  
 14 *or local Farm Service Agency office unless or until the Sec-*  
 15 *retary of Agriculture has determined the cost effectiveness*  
 16 *and enhancement of program delivery of the closure or relo-*  
 17 *cation, and report to the House and Senate Committees on*  
 18 *Agriculture and Appropriations.*

19       *SEC. 786. None of the funds made available in this*  
 20 *Act may be used to pay the salaries or expenses of personnel*  
 21 *to inspect horses under section 3 of the Federal Meat Inspec-*  
 22 *tion Act (21 U.S.C. 603) or under the guidelines issued*  
 23 *under section 903 the Federal Agriculture Improvement and*  
 24 *Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104–*  
 25 *127).*

1        *SEC. 787. Section 508(a)(4)(B) of the Federal Crop In-*  
 2        *surance Act (7 U.S.C. 1508(a)(4)(B)) is amended by insert-*  
 3        *ing “or similar commodities” after “the commodity”.*

4        *SEC. 788. 90 days before initiating any structural*  
 5        *change in a mission area of the Department, the Secretary*  
 6        *of Agriculture shall provide notice of the change to the Com-*  
 7        *mittees on Appropriations of the Senate and the House of*  
 8        *Representatives.*

9        *SEC. 789. (a) Notwithstanding subtitles B and C of*  
 10        *the Dairy Production Stabilization Act of 1983 (7 U.S.C.*  
 11        *4501 et seq.), during fiscal year 2006, the National Dairy*  
 12        *Promotion and Research Board may obligate and expend*  
 13        *funds for any activity to improve the environment and pub-*  
 14        *lic health.*

15        *(b) The Secretary of Agriculture shall review the im-*  
 16        *pact of any expenditures under subsection (a) and include*  
 17        *the review in the 2007 report of the Secretary to Congress*  
 18        *on the dairy promotion program established under subtitle*  
 19        *B of the Dairy Production Stabilization Act of 1983 (7*  
 20        *U.S.C. 4501 et seq.).*

21        *SEC. 790. Section 274(a)(1) of the Immigration and*  
 22        *Nationality Act (8 U.S.C. 1324(a)(1)) is amended by add-*  
 23        *ing at the end the following: “(C) It is not a violation of*  
 24        *clauses (ii) or (iii) of subparagraph (A), or of clause (iv)*  
 25        *of subparagraph (A) except where a person encourages or*



1 *induces an alien to come to or enter the United States, for*  
 2 *a religious denomination having a bona fide nonprofit, reli-*  
 3 *gious organization in the United States, or the agents or*  
 4 *officers of such denomination or organization, to encourage,*  
 5 *invite, call, allow, or enable an alien who is present in the*  
 6 *United States to perform the vocation of a minister or mis-*  
 7 *sionary for the denomination or organization in the United*  
 8 *States as a volunteer who is not compensated as an em-*  
 9 *ployee, notwithstanding the provision of room, board, trav-*  
 10 *el, medical assistance, and other basic living expenses, pro-*  
 11 *vided the minister or missionary has been a member of the*  
 12 *denomination for at least one year.”*

13       *SEC. 791. The Federal facility located at the South*  
 14 *Mississippi Branch Experiment Station in Poplarville,*  
 15 *Mississippi, and known as the “Southern Horticultural*  
 16 *Laboratory”, shall be known and designated as the “Thad*  
 17 *Cochran Southern Horticultural Laboratory”: Provided,*  
 18 *That any reference in law, map, regulation, document,*  
 19 *paper, or other record of the United States to such Federal*  
 20 *facility shall be deemed to be a reference to the “Thad Coch-*  
 21 *ran Southern Horticultural Laboratory”.*

22       *SEC. 792. As soon as practicable after the Agricultural*  
 23 *Research Service operations at the Western Cotton Research*  
 24 *Laboratory located at 4135 East Broadway Road in Phoe-*  
 25 *nix, Arizona, have ceased, the Secretary of Agriculture may*

1 convey, without consideration, to the Arizona Cotton Grow-  
2 ers Association and Supima all right, title, and interest of  
3 the United States in and to the real property at that loca-  
4 tion, including improvements.

5 SEC. 793. *The Secretary of Agriculture shall—*

6 (1) *as soon as practicable after the date of enact-*  
7 *ment of this Act, conduct an evaluation of any im-*  
8 *pacts of the court decision in Harvey v. Veneman,*  
9 *396 F.3d 28 (1st Cir. Me. 2005); and*

10 (2) *not later than 90 days after the date of en-*  
11 *actment of this Act, submit to Congress a report*  
12 *that—*

13 (A) *describes the results of the evaluation*  
14 *conducted under paragraph (1);*

15 (B) *includes a determination by the Sec-*  
16 *retary on whether restoring the National Organic*  
17 *Program, as in effect on the day before the date*  
18 *of the court decision described in paragraph (1),*  
19 *would adversely affect organic farmers, organic*  
20 *food processors, and consumers;*

21 (C) *analyzes issues regarding the use of syn-*  
22 *thetic ingredients in processing and handling;*

23 (D) *analyzes the utility of expedited peti-*  
24 *tions for commercially unavailable agricultural*  
25 *commodities and products; and*

1                   (E) considers the use of crops and forage  
2                   from land included in the organic system plan  
3                   of dairy farms that are in the third year of or-  
4                   ganic management.

5           SEC. 794. (a) Not later than 90 days after the date  
6 of enactment of this Act, the Administrator of the Animal  
7 and Plant Health Inspection Service (referred to in this sec-  
8 tion as the “Administrator”) shall publish in the Federal  
9 Register uniform methods and rules for addressing chronic  
10 wasting disease.

11           (b) If the Administrator does not publish the uniform  
12 methods and rules by the deadline specified in subsection  
13 (a), not later than 30 days after the deadline and every  
14 30 days thereafter until the uniform methods and rules are  
15 published in accordance with that subsection, the Adminis-  
16 trator shall submit to Congress a report that—

17                   (1) describes the status of the uniform methods  
18                   and rules; and

19                   (2) provides an estimated completion date for the  
20                   uniform methods and rules.

21           SEC. 795. (a) In carrying out a livestock assistance,  
22 compensation, or feed program, the Secretary of Agriculture  
23 shall include horses within the definition of “livestock” cov-  
24 ered by the program.

1       (b)(1) *Section 602(2) of the Agricultural Act of 1949*  
 2       *(7 U.S.C. 1471(2)) is amended—*

3               (A) *by inserting “horses”, after “bison”; and*

4               (B) *by striking “equine animals used for food or*  
 5       *in the production of food,”.*

6       (2) *Section 806 of the Agriculture, Rural Development,*  
 7       *Food and Drug Administration, and Related Agencies Ap-*  
 8       *propriations Act, 2001 (Public Law 106–387; 114 Stat.*  
 9       *1549A–51) is amended by inserting “(including losses to*  
 10       *elk, reindeer, bison, and horses)” after “livestock losses”.*

11       (3) *Section 10104(a) of the Farm Security and Rural*  
 12       *Investment Act of 2002 (7 U.S.C. 1472(a)) is amended by*  
 13       *striking “and bison” and inserting “bison, and horses”.*

14       (4) *Section 203(d)(2) of the Agricultural Assistance*  
 15       *Act of 2003 (Public Law 108–7; 117 Stat. 541) is amended*  
 16       *by striking “and bison” and inserting “bison, and horses”.*

17       (c)(1) *This section and the amendments made by this*  
 18       *section apply to losses resulting from a disaster that occurs*  
 19       *on or after July 28, 2005.*

20       (2) *This section and the amendments made by this sec-*  
 21       *tion do not apply to losses resulting from a disaster that*  
 22       *occurred before July 28, 2005.*

23       SEC. 796. *With respect to the sale of the Thermo*  
 24       *Pressed Laminates building in Klamath Falls, Oregon, the*  
 25       *Secretary of Agriculture may allow the Klamath County*

1 *Economic Development Corporation to establish a revolving*  
 2 *economic development loan fund with the funds that other-*  
 3 *wise would be required to be repaid to the Secretary in ac-*  
 4 *cordance with the rural business enterprise grant under sec-*  
 5 *tion 310B(c)(1)(B) of the Consolidated Farm and Rural*  
 6 *Development Act (7 U.S.C. 1932(c)).*

7 *SEC. 797. SENSE OF THE SENATE.—(a) FINDINGS.—*  
 8 *The Senate finds the following:*

9 *(1) In a time of national catastrophe, it is the*  
 10 *responsibility of Congress and the Executive Branch*  
 11 *to take quick and decisive action to help those in*  
 12 *need.*

13 *(2) The size, scope, and complexity of Hurricane*  
 14 *Katrina are unprecedented, and the emergency re-*  
 15 *sponse and long-term recovery efforts will be extensive*  
 16 *and require significant resources.*

17 *(3) It is the responsibility of Congress and the*  
 18 *Executive Branch to ensure the financial stability of*  
 19 *the nation by being good stewards of Americans’*  
 20 *hard-earned tax dollars.*

21 *(b) SENSE OF THE SENATE.—It is the sense of the Sen-*  
 22 *ate that any funding directive contained in this Act, or its*  
 23 *accompanying report, that is not specifically authorized in*  
 24 *any Federal law as of the date of enactment of this section,*  
 25 *or Act or resolution passed by the Senate during the 1st*

1 *Session of the 109th Congress prior to such date, or pro-*  
2 *posed in pursuance to an estimate submitted in accordance*  
3 *with law, that is for the benefit of an identifiable program,*  
4 *project, activity, entity, or jurisdiction and is not directly*  
5 *related to the impact of Hurricane Katrina, may be redi-*  
6 *rected to recovery efforts if the appropriate head of an agen-*  
7 *cy or department determines, after consultation with appro-*  
8 *priate Congressional Committees, that the funding directive*  
9 *is not of national significance or is not in the public inter-*  
10 *est.*

11 *SEC. 798. (a) The Senate finds the following:*

12 *(1) Research and development have been critical*  
13 *components of the prosperity of the United States.*

14 *(2) The United States is entering an increas-*  
15 *ingly competitive world in the 21st century.*

16 *(3) The National Academy of Sciences has found*  
17 *that public agricultural research and development ex-*  
18 *penditures in the United States were the lowest of*  
19 *any developed country in the world.*

20 *(4) The Nation needs to ensure that public*  
21 *spending for agricultural research is commensurate*  
22 *with the importance of agriculture to the long-term*  
23 *economic health of the Nation.*

1           (5) *Research and development is critical to en-*  
 2           *sureing that American agriculture remains strong and*  
 3           *vital in the coming decades.*

4           (b) *It is the sense of the Senate that, in order for the*  
 5           *United States to remain competitive, the President and the*  
 6           *Department of Agriculture should increase public sector*  
 7           *funding of agricultural research and development.*

8           SEC. 799. *It is the sense of the Senate that—*

9           (1) *the Senate—*

10           (A) *encourages expanded efforts to alleviate*  
 11           *hunger throughout developing countries; and*

12           (B) *pledges to continue to support inter-*  
 13           *national hunger relief efforts;*

14           (2) *the United States Government should use fi-*  
 15           *nancial and diplomatic resources to work with other*  
 16           *donors to ensure that food aid programs receive all*  
 17           *necessary funding and supplies; and*

18           (3) *food aid should be provided in conjunction*  
 19           *with measures to alleviate hunger, malnutrition, and*  
 20           *poverty.*

21           SEC. 800. *Amounts made available for the Plant Mate-*  
 22           *rials Center in Fallon, Nevada, under the heading “CON-*  
 23           *SERVATION OPERATIONS” under the heading “NATURAL RE-*  
 24           *SOURCES CONSERVATION SERVICE” of title II of the Agri-*  
 25           *culture, Rural Development, Food and Drug Administra-*

1 *tion, and Related Agencies Appropriations Act, 2005 (Pub-*  
2 *lic Law 108–447; 118 Stat. 2823) shall remain available*  
3 *until expended.*

4       *SEC. 801. Not later than 90 days after the date of en-*  
5 *actment of this Act, the Secretary of Agriculture, in co-*  
6 *operation with the Secretary of Energy, shall provide to the*  
7 *Committee on Appropriations of the Senate and the Com-*  
8 *mittee on Appropriations of the House of Representatives*  
9 *a report that describes the impact of increased prices of gas,*  
10 *natural gas, and diesel on agricultural producers, ranchers,*  
11 *and rural communities.*

12       *SEC. 802. The Secretary of Agriculture (referred to in*  
13 *this section as the “Secretary”) shall prepare a report for*  
14 *submission by the President to Congress, along with the fis-*  
15 *cal year 2007 budget request under section 1105 of title 31,*  
16 *United States Code, that—*

17               *(1) identifies measures to address bark beetle in-*  
18 *festation and the impacts of bark beetle infestation as*  
19 *the first priority for assistance under the Healthy*  
20 *Forests Restoration Act of 2003 (16 U.S.C. 6501 et*  
21 *seq.);*

22               *(2) describes activities that will be conducted by*  
23 *the Secretary to address bark beetle infestations and*  
24 *the impacts of bark beetle infestations;*



1           (3) describes the financial and technical re-  
2           sources that will be dedicated by the Secretary to  
3           measures to address bark beetle infestations and the  
4           impacts of the infestations; and

5           (4) describes the manner in which the Secretary  
6           will coordinate with the Secretary of the Interior and  
7           State and local governments in conducting the activi-  
8           ties under paragraph (2).

9           SEC. 803. Any limitation, directive, or earmarking  
10          contained in either the House of Representatives or Senate  
11          report accompanying H.R. 2744 shall also be included in  
12          the conference report or joint statement accompanying H.R.  
13          2744 in order to be considered as having been approved by  
14          both Houses of Congress.

15          SEC. 804. (a) Congress makes the following findings:

16               (1) Consumers need clear and consistent infor-  
17               mation about the risks associated with exposure to the  
18               sun, and the protection offered by over-the-counter  
19               sunscreen products.

20               (2) The Food and Drug Administration (referred  
21               to in this section as the “FDA”) began developing a  
22               monograph for over-the-counter sunscreen products in  
23               1978.

24               (3) In 2002, after 23 years, the FDA issued the  
25               final monograph for such sunscreen products.

1           (4) *One of the most critical aspects of sunscreen*  
2           *is how to measure protection against UVA rays,*  
3           *which cause skin cancer.*

4           (5) *The final sunscreen monograph failed to ad-*  
5           *dress this critical aspect and, accordingly, the mono-*  
6           *graph was stayed shortly after being issued until*  
7           *issuance of a comprehensive monograph.*

8           (6) *Skin cancer rates continue to rise, especially*  
9           *in younger adults and women.*

10          (7) *Pursuant to section 751 of the Federal Food,*  
11          *Drug, and Cosmetic Act (21 U.S.C. 379r), a Federal*  
12          *rule on sunscreen labeling would preempt any related*  
13          *State labeling requirements.*

14          (8) *The absence of a Federal rule could lead to*  
15          *a patchwork of State labeling requirements that*  
16          *would be confusing to consumers and unnecessarily*  
17          *burdensome to manufacturers.*

18          (b) *It is the sense of Congress that the FDA should,*  
19          *not later than one year after the date of enactment of this*  
20          *Act, issue a comprehensive final monograph for over-the-*  
21          *counter sunscreen products, including UVA and UVB label-*  
22          *ing requirements, in order to provide consumers with all*  
23          *the necessary information regarding the dangers of skin*  
24          *cancer and the importance of wearing sunscreen.*

1        *This Act may be cited as the “Agriculture, Rural De-*  
2 *velopment, Food and Drug Administration, and Related*  
3 *Agencies Appropriations Act, 2006”.*

Attest:

*Secretary.*

109TH CONGRESS  
1ST SESSION

**H. R. 2744**

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**AMENDMENT**